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AMENDMENTS TO THE CHARTER AND COMPILATION OF ORDINANCES Nos. 361-545

PASSED SINCE DECEMBER 24, 1900

**CITY OF SANTA BARBARA
STATE OF CALIFORNIA**

*Published by Order of the Council of the City of
Santa Barbara, April 1, 1906*

**COMPILED AND INDEXED BY
HENLEY C. BOOTH, City Attorney**

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AMENDMENTS TO THE CHARTER
— AND —
COMPILATION OF ORDINANCES

— Nos. 361-545 —

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CITY OF SANTA BARBARA
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PUBLISHED BY ORDER OF THE COUNCIL OF THE CITY OF
SANTA BARBARA, APRIL 1, 1906

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HENLEY C. BOOTH, CITY ATTORNEY

PRINTED AT THE OFFICE OF
The Morning Press
SANTA BARBARA, CAL.

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1901-06

OFFICERS OF THE CITY OF SANTA BARBARA 1906-1907

Mayor—Thomas D. Wood.

President of the Council—N. D. Smith.

Councilmen:

First Ward—W. T. McKnight.

Second Ward—N. D. Smith.

Third Ward—Wm. Raffour.

Fourth Ward—E. G. Dodge.

Fifth Ward—J. Will Smith.

Sixth Ward—Peter Poole.

Seventh Ward—J. C. Hassinger.

City Clerk, Auditor and Assessor—Alfred Davis.

City Treasurer and Tax Collector—William R. Kearney.

City Attorney—Henley C. Booth.

Police Judge—T. B. Curley.

City Engineer—A. W. Dozier.

City Superintendent of Streets—James S. Bodie.

Chief of Police—James Ross.

Captain of Police—Joseph Wylie.

Health Officer—David Conrad, M. D.

City Plumbing Inspector—John Lane.

City Boiler Inspector—B. R. Rodman.

City Electrician—E. P. Bradbury, Jr.

Water Department:

Commissioners—G. F. Trenwith, President; J. N. Hiller, Secretary; George S. Edwards.

Book-keeper, F. L. Kellogg; Superintendent, Victor E. Trace; Engineer, Lee M. Hyde.

Fire Department:

Commissioners—Thomas D. Wood, President; Alfred Davis, Secretary; N. D. Smith, John R. Dugan.

Chief, John R. Dugan; Assistant Chief, V. E. Trace; Lieutenant, H. L. Lawn; Captain, E. C. Miller; Driver, Leon De la Guerra.

E. A. Gilbert, President; C. H. Frink, Secretary; Joseph J. Perkins, A. B. Doremus.

Public Library:

Trustees—C. A. Edwards, Henry P. Starbuck, B. A. Goodridge, C. F. Carrier, H. F. Maguire.

Educational Department:

Board of Education—E. W. Hayward, President; Clio L. Lloyd, Secretary; M. B. McDuffie, A. A. Poole, W. S. Coleman.

City Superintendent of Schools—Henry A. Adrian.

318289

This book embraces the Amendments to the Charter of the City of Santa Barbara, ratified and approved by the Legislature of California at its Session of 1905, and also Ordinances Nos. 361 to 545 inclusive, those of general interest being printed in full and the remaining ones being referred to and indexed.

The arrangement of this compilation is the same as that of the compilation of Ordinances Nos. 1 to 360 inclusive, published November 20, 1900, namely:

- Chapter I. Miscellaneous General Ordinances.
- Chapter II. Municipal Licenses.
- Chapter III. Streets and Plazas.
 - Subd. 1. Street Grades.
 - Subd. 2. Sidewalks.
 - Subd. 3. Vacation, Opening and Use of Certain Streets and Sidewalks.
 - Subd. 4. Regulations for Street, Sidewalk and Sewer Construction.
 - Subd. 5. Penal Ordinances Relating to Streets, Sidewalks, Sewers and Plazas.
- Chapter IV. Police Department.
- Chapter V. Waterworks Department.
- Chapter VI. Fire Department.
- Chapter VII. Prevention of Fire.
- Chapter VIII. Public Health.
- Chapter IX. Park Commission.
- Chapter X. Miscellaneous Penal Ordinances.
- Chapter XI. Ordinances Granting Franchises.
- Chapter XII. Ordinances Repealed by Other Ordinances.
- Chapter XIII. Ordinances Expired by Limitation.
- Chapter XIV. Ordinances Relating to Bond Issues and Calling Elections.

In addition to numerical and topical indices arranged as in the former publication, there has been added an index of the ordinances in the series from No. 1 to No. 360 inclusive, which have been amended, superseded or repealed since the publication of the former compilation.

HENLEY C. BOOTH, City Attorney.

AMENDMENTS TO CHARTER

OF THE

CITY OF SANTA BARBARA

AS AMENDED BY CHARTER AMENDMENTS RATIFIED
BY THE LEGISLATURE OF CALIFORNIA,
OF 1905

TOOK EFFECT FEBRUARY 8, 1905

PRINTED IN STATUTES OF CALIFORNIA, SESSION 1905, PAGE 929

CHAPTER XIV.

Assembly Concurrent Resolution No. 5—Approving ten amendments to the charter of the City of Santa Barbara, a municipal corporation in the county of Santa Barbara, State of California, which said ten amendments were submitted to vote of, and ratified by, the qualified electors of said city at a general municipal election at which the same were duly submitted, and said election being held on December first, 1903.

Be it Resolved: That there has been presented by the City of Santa Barbara, a municipal corporation of the State of California, a certificate of its Mayor,—who is its chief executive officer,—and its City Clerk,—who is the ex-officio Clerk of the Common Council of said city,—their signatures being authenticated by the official seal of said city;—which certificate is in the words and figures following, to wit:

CERTIFICATE OF THE CHIEF EXECUTIVE AND CLERK OF THE CITY OF SANTA BARBARA, CALIFORNIA.

As to the adoption of certain amendments to the charter of said city, submitted to the qualified electors of said city December 1st, 1903.

PREAMBLE.

Be it Known: That,

Whereas, The City of Santa Barbara, in the County of Santa Barbara, State of California, has at all times mentioned herein been, and now is, a municipal corporation of said State containing a population of more than three thousand five hundred inhabitants, and is now and has been ever since the first Monday in January, A. D. 1900, organized and acting under a freeholder's charter adopted under and by virtue of Section 8 of Article XI of the Constitution of the State of California,—which charter was duly ratified by the qualified electors of said city at an election held for that purpose on the 20th day of September, 1898, and approved by the Legislature of the State of California on the 20th day of February, 1899, (Statutes

of 1899, pages 448 to 489, inclusive, and which said charter has never been amended; and,

Whereas, The legislative authority of said City of Santa Barbara, to wit: the Council of said city, did by a resolution by it passed on the 24th day of September, 1903, and approved by George S. Edwards, the Mayor and chief executive of said city on the 24th day of September, 1903, and pursuant to Section 8, Article XI of the Constitution of the State of California, duly proposed to the qualified electors of said city eleven certain amendments to said charter of said City of Santa Barbara; and,

Whereas, Said resolution containing said eleven proposed amendments to said charter was duly published for twenty days after its passage and approval, in The Daily News, a daily newspaper printed, published and generally circulated in the City of Santa Barbara aforesaid; and,

Whereas, A general municipal election was held in said City of Santa Barbara on the first day of December, A. D. 1903,—which date was more than forty days after said proposed amendments had been published for twenty days as aforesaid; and,

Whereas, In and by said resolution so passed, approved and published as aforesaid, said eleven proposed charter amendments were submitted to the qualified electors of said city at said general municipal election, and said qualified electors were notified that they might at said general municipal election vote upon any one or more or all of said proposals to so amend said charter; and,

Whereas, On the seventh day of December, 1903, at a meeting of said Council of said City of Santa Barbara, duly convened in accordance with law and with the provisions of said charter of said city,—said Mayor and Council of said City of Santa Barbara did duly and regularly canvass the returns of said general municipal election so held on the first day of December, 1903, and did find therefrom that of said proposed amendments to said charter, amendments numbers one to ten, inclusive, were duly ratified by the majority of electors voting thereon; and number eleven of said proposed amendments was not ratified by such electors, said Amendment No. 11 having received less than a majority of the electors voting thereon; and,

Whereas, Said Mayor and said Council after canvassing

said returns, and at said meeting so held as aforesaid for said canvass, did duly find and declare that numbers one to ten, inclusive, of said proposed charter amendments had been ratified by a majority of the electors voting thereon, and that number eleven of said proposed amendments had received less than a majority of the electors voting thereon; and,

Whereas, Said amendments numbers one to ten, inclusive, so ratified by the electors of said City of Santa Barbara at said general municipal election of December 1st, 1903, are now submitted to the Legislature of the State of California for approval or rejection as a whole without power of alteration or amendment, in accordance with the provisions of Section 8 Article XI of the Constitution of the State of California;

Now, therefore, the undersigned, George S. Edwards, Mayor and Chief Executive of said City of Santa Barbara, and Alfred Davis, City Clerk and ex-officio Clerk of the Council of said city, authenticating their signatures with the official seal of said city,

Do hereby certify that the said ten amendments to said charter of said city so ratified by a majority of the electors voting thereon at said general municipal election of December 1st, 1903, were submitted to said electors and ratified by said electors in the words and figures as follows, and are and shall if so approved by said Legislature be, in the words and figures following, to wit:

CHARTER AMENDMENT NUMBER ONE (1) TO THE CHARTER OF THE CITY OF SANTA BARBARA.

That said charter shall be amended by striking out therefrom Section 8 of said charter, and by substituting in lieu thereof the following as and for Section 8 of said charter:

Section 8. The non-elective officers of said city shall consist of a chief of police, a city engineer and a superintendent of streets.

CHARTER AMENDMENT NUMBER TWO (2) TO THE CHARTER OF THE CITY OF SANTA BARBARA.

That said charter shall be amended by striking out therefrom Section 14 of said charter, and by substituting in

lieu thereof the following as and for Section 14 of said charter:

Section 14. In establishing election precincts, the Council shall make them correspond with the wards into which the city is divided; provided, however, that the Council may divide any ward into two or more precincts; and provided, further, that at any special municipal election, the Council may consolidate any number of precincts or wards into one special election precinct.

CHARTER AMENDMENT NUMBER THREE (3) TO THE CHARTER OF THE CITY OF SANTA BARBARA.

That said charter shall be amended by inserting therein, after Section 17 of said charter and before Article III of said charter, a new section to be numbered Section 17 (a), and to be as follows, to wit:

Section 17 (a). The term of office of an appointive officer shall expire with the term of office of the officer by whom he is appointed, excepting where the ordinance authorizing such appointment, or this charter, prescribes a different term, provided, however, that in all cases the term of office of a deputy of any officer shall expire not later than the expiration of the term of office of his principal.

CHARTER AMENDMENT NUMBER FOUR (4) TO THE CHARTER OF THE CITY OF SANTA BARBARA.

That said charter shall be amended by striking out therefrom Section 19 of said charter, and by substituting in lieu thereof the following as and for Section 19 of said charter:

Section 19. The other officers and employes of the city shall receive compensation as follows:

City clerk, and as auditor, one hundred dollars per month and for his compensation as assessor, seventy-five dollars per month for four months each year, commencing with the month of March.

City engineer, twelve hundred dollars per annum.

Chief of police, twelve hundred dollars per annum.

Superintendent of streets, one thousand dollars per annum.

City attorney, twelve hundred dollars per annum.

Police judge, one thousand dollars per annum.

Treasurer, five hundred dollars per annum, and an additional compensation as tax collector of three hundred dollars per annum, and five per cent on all license taxes collected.

School trustees, and trustees of the free public library, shall receive no compensation whatever for their services as such trustees; provided, that the secretary of the board of education may receive a compensation for his services as such secretary, to be fixed by said board at not exceeding twenty dollars per month; provided, further, that nothing in this charter contained shall preclude the Council of said city, by ordinance, from authorizing any deputy city officer or officers and fixing his or their compensation; and provided, further, that no term of office of any deputy city officer shall be created to extend beyond the term of the officer for whom he is a deputy.

CHARTER AMENDMENT NUMBER SIX (6) TO THE CHARTER OF THE CITY OF SANTA BARBARA.

That said charter shall be amended by inserting immediately after Section 23 of said charter, a new section to be known and numbered as Section 23 (a), and to be in the words and figures following:

Section 23 (a). Pursuant to the provisions of Section 23 of this charter, the superintendent of streets shall give a bond in the penal sum of five thousand dollars.

CHARTER AMENDMENT NUMBER SIX (6) TO THE CHARTER OF THE CITY OF SANTA BARBARA.

That said charter shall be amended by striking out therefrom Section 43 of said charter and by substituting in lieu thereof the following new section to be numbered as Section 43, and to be as follows:

Section 43. The Council shall have power:

1. To establish or alter the widths and grades of, and to open, lay out, alter, extend, close, straighten, and otherwise regulate streets, avenues, alleys, lanes and sidewalks and crosswalks upon the same, and in or over any plaza, park or grounds belonging to or under the control of the city, and to provide for acceptance of the streets when

constructed and completed in accordance with such regulations as the Council may adopt.

2. To regulate or prohibit traffic and sales in streets, highways and public places, and to regulate the use thereof by persons, associations and corporations, to prevent encroachment upon or obstructions to the same, and require the removal of such obstructions, and to regulate the construction of entrances to cellars and basements from sidewalks.

3. To establish and maintain a pole line system or system of underground conduits in the city; to compel all telegraph, telephone, electric light and other companies corporations, firms, associations, or persons using wires to place and maintain their wires thereon, or therein, and to regulate the use and to fix the rental thereof, and to provide for the collection of the same from all corporations, companies, firms, associations or persons using the same.

4. To regulate the naming of streets, avenues, public places, and thoroughfares, and the numbering of houses thereon.

5. To establish a general system of sewers, conduits and storm drains in the city and to regulate the building and repairing thereof, and connections therewith.

6. To provide for and regulate street pavements, crosswalks, curbstones, grades, gutters, sewers, and cleaning and watering of streets.

7. To regulate dispensaries, hospitals, markets and other public institutions.

8. To provide for the construction, maintenance, regulation and repair of bridges and public places.

9. To fix and regulate toils and wharfrage.

10. To make regulations for preventing and extinguishing fires, establishing fire districts, and determining the character of buildings that may be erected therein, and the nature of the materials to be used in the construction, alteration or repair of such buildings, or in the repair or alteration of existing buildings within or moved within or to within such limits and for restricting the height of buildings or structures.

11. To abate and remove nuisances.

12. To provide and maintain a morgue.

13. To provide for conducting elections, establishing or changing election precincts, and appointing the necessary officers.

14. To try and for cause remove from office appointees against whom charges have been preferred.

15. To regulate or prohibit the sale, keeping, storage and use of powder, fireworks, dynamite, nitro-glycerine, and other explosive materials, and substances, and the places of their manufacture, or storage, and their transportation; and to regulate the storage of hay, straw and other inflammable materials, and the use of steam boilers.

16. To regulate, restrict and supervise, and for the purpose of such regulation, restriction and supervision, to specially tax the storage, manufacture and sale of explosives, acids, poisons, or inflammable materials; the manufacture of products giving rise to noxious odors or gases; the sale or furnishing of intoxicating liquors; the keeping or slaughtering of animals.

17. To regulate the keeping and use of animals, to prevent or regulate the running at large of any animals; to establish a pound; to authorize the impounding of animals found running at large, and to authorize the sale, disposition or destruction thereof.

18. To provide for the public printing.

19. To provide suitable rooms and buildings for the courts, boards and officers of the city, and such furniture, fuel, light, books, stationery and other supplies of any kind as are or may be necessary for the convenient transaction of public business.

20. To regulate the construction, repair, and use of sewers, sinks, gutters, wells, cesspools and vaults; to compel the connection, cleaning or emptying of the same, and to designate the time and manner in which the work shall be done; to provide for the removal of all rubbish, garbage, refuse matter, and all material detrimental to the public health, and at such times as it will be best for the public good.

21. To license any and all vehicles used for hire, and to regulate their stands and rates of fare, and to license, regulate or suppress runners for railroads, steamboats, taverns or hotels, and to regulate and license the business of peddlers and auctioneers, and to regulate and license the sale and

furnishing, or sale or furnishing, of intoxicating liquors, and to regulate the conduct, keeping open and arrangement of places where intoxicating liquors are sold or furnished; and to license and regulate all shows and exhibitions of lawful games and to license either for the purpose of revenue or regulation, or for both such purposes, any or all business or occupations in said city; and to fix the rate and provide for and effect the collection, enforcement, suspension, limitation or revocation, of any or all of the licenses authorized by this charter.

22. To regulate the entrance to and exits from, theaters, lecture rooms, public halls, churches, and public buildings of every kind, and the manner and construction of such entrances and exits, and to prohibit the placing of chairs, stools, benches and other obstacles in the halls, aisles or open places therein.

23. To establish, maintain and regulate a fire alarm, police telegraph, and police telephone.

24. To provide general regulations as to the quality, capacity, and location of water and gas pipes, mains, and fire plugs, and to provide for and regulate the construction and repair of hydrants, fire plugs, cisterns, pumps, and such other appliances as may be requisite to utilize the distribution of water and gas in the streets, public places and public buildings.

25. To require every person, firm or corporation owning, operating or maintaining a track or tracks, upon any street or streets, or portion of street of said city, where cars or engines of any kind are drawn or propelled by mechanical or other means, to keep the portion of said street or streets which lies between such tracks, or between the rails thereof, and between any switch or switches, or turn-out or turn-outs, and for two feet upon each side of the exterior rails of such tracks, switches or turn-out or turn-outs, in repair with the same material, and in the same manner as the portion of the street so occupied; and to provide, by ordinance, regulations for the erection and maintenance of gates and guards on any or all grade crossings in said city; provided, however, that such regulations may apply to any one, or more, or all classes of transportation companies, cars, or engines.

26. To provide for the lighting of streets, alleys, public buildings and public grounds, and to construct, purchase,

lease, own, control, maintain and operate a system of lighting by artificial means of illumination.

27. To determine and impose fines, forfeitures, and penalties for the violation of any ordinance or any of the provisions of this charter, and to appropriate the same.

28. To make all needful rules to govern the official conduct and duties of all omcers of the city whose duties are not defined by this charter; and to fix and regulate the charges and fees of all such officers, where the charges, fees and duties are not otherwise fixed, and to compel the payment of all such charges into the city treasury.

29. To create, control, regulate, abolish, or prohibit cemeteries; to sell or lease lots in those created; to control and regulate interments within the city limits, and to provide for removing human remains from the city.

30. To provide and maintain a city prison, and to provide for the care, custody, feeding and clothing of city prisoners.

31. To provide for the proper employment upon any public work, or for the benefit of the city, of all persons convicted of crimes, vagrancy, or other misdemeanors.

32. To prevent and restrain any riot, or riotous assemblage, or disorderly conduct within the city.

33. To provide for supplying the city and its inhabitants with water, and to construct, develop, purchase, lease, own, control, maintain and operate its own water supply.

34. To regulate the use and sale of gas and electric lights, and other illuminants, and fix and determine the price of gas and electric lights, and other illuminants, and the rent of gas and electric light meters within the city, and regulate the inspection thereof; and to regulate telephone service and the use of telephones within the city, and to fix and determine the charges for telephones, and telephone service and connections; and the removal and placing underground of any and all wires or telegraph, telephone, or electric light wires, or upon the pole line, or in the underground conduits established by the city.

35. To grant or extend for a period not exceeding twenty-five years, franchises for street railways, to the bidder therefor, of the greatest percentage of the gross receipts, payable monthly; bidders for such franchises

may bid percentages to increase progressively with the lapse of time, and such increases may be made contingent on increase in the population of the city; and to fix the rate of fare, not exceeding five cents for each passage, on such railways, conditional that the rate of fare so fixed, shall provide, when desired by the person paying such fare, a continuous passage in one general direction through the whole territory of the municipality, by the requisite transfers with connecting lines, where such exist operated under franchises similarly conditioned; provided, however, that should the Council, by resolution, determine that the public necessity or convenience so requires, they may grant or let a franchise or franchises for any public service, under the provisions of the general law which may exist at the time when such resolution is passed, without reference to, or compliance with the foregoing provisions of this subdivision, excepting the provisions fixing the rate of fare.

36. To provide and maintain all public buildings, parks or squares, necessary or proper, for the use of the city, and to acquire lands therefor, and for other public uses, within or without the city.

37. To provide for the execution of all trusts confided to the city.

38. To levy and collect taxes and assessments on all property within the city, both real and personal, made taxable by law for state and county purposes.

39. To regulate the custody, leasing, and sale of all the property of the municipality, and such lost, stolen or unclaimed property as may be in the possession of the police or other officers of the city.

40. To regulate all parades and processions, and public assemblages upon the streets, and to determine what parades, processions and public assemblages thereon shall not be lawful, and to declare the same a nuisance.

41. To maintain and regulate, subject to the provisions of this charter, the fire, health and police departments hereby established.

42. To make or pass all ordinances, by-laws, resolutions, rules and regulations necessary and proper for carrying out or into execution the powers herein given, and all other powers vested by this charter, or by general law, in said city.

43. To make and enforce all such local, police, sanitary and other regulations as are not in conflict with general laws or provisions of this charter.

44. The Council shall have power by ordinance, and it shall be its duty to fix and determine annually the rates of compensation to be collected by any person, firm or corporation in the city for the use of the water supplied to the city, or the inhabitants thereof; also to fix and regulate annually the tolls and wharfage to be charged for the use of any wharf within the city limits, and to prescribe penalties for the violation of all ordinances passed in reference to matters contained in this subdivision.

45. The Council shall have power to provide music for public entertainment.

46. The Council shall have power to provide for said city a public telephone system, and other means for the transmission of sounds, signals, conversation and intelligence by electricity or otherwise; and to construct, purchase, lease, own, control, maintain, operate and collect tolls, or charges for the use of any such system or systems.

CHARTER AMENDMENT NUMBER SEVEN (7) TO THE CHARTER OF THE CITY OF SANTA BARBARA.

That said charter shall be amended by striking out therefrom Section 123 of said charter, and by substituting in lieu thereof the following new section to be known and numbered as Section 123, and to be as follows, to wit:

Section 123. The city engineer shall be a citizen and a resident and qualified elector of the city at the time of his appointment, and shall continue as such during his term of office.

In addition to the other duties imposed upon him by this charter, or by ordinances of the Council, the city engineer shall:

1. Make all surveys, inspections and estimates required by the Council.
2. He shall examine all public work done under contract, and report thereon in writing to the Council.
3. He shall, on application of any person owning or in-

terested in real property in said city for a survey or plat of such property, make and deliver the same upon the payment of his fees therefor.

4. He shall be the custodian of and responsible for all maps, plats, profiles, field notes and other records and memoranda belonging to the city pertaining to his office and the work thereof; all of which he shall keep in proper order and condition, with a full index thereof, and all of which he shall turn over to his successor.

5. All maps, plats, profiles, field notes, estimates and other memoranda or surveys, and other professional work, made or done by him, or under his direction or control, during his term of office, for the city, shall be the property of the city.

6. He shall examine the work done under, and materials used in the construction of all buildings or improvements done by or under the authority of said city, and shall at once report to the Council in writing all deviation from contracts, and the use of any improper material, or any bad workmanship in such works.

CHARTER AMENDMENT NUMBER EIGHT (8) TO THE CHARTER OF THE CITY OF SANTA BARBARA.

That said charter shall be amended by striking out therefrom Section 124 of said charter, and by substituting in lieu thereof the following new section to be known and numbered as Section 124, and to be as follows:

Section 124. The superintendent of streets shall, at the time of his appointment, be a citizen, resident, and qualified elector of said city, and shall continue as such during his term of office.

He shall have the general care of and frequently inspect the streets of said city, and shall see that all traveled streets are kept in good repair.

He shall receive and investigate all complaints as to their condition, and shall have charge of the enforcement of all ordinances pertaining to street obstruction. He shall superintend all public works pertaining to street improvements, while the same are in course of construction, whether done

under contract or otherwise; and shall at once report to the Council, in writing, all deviation from contracts, and the use of any improper material and bad workmanship in such works, and shall have power, pending investigation, to stop all work thereon.

He shall perform such other duties as are herein elsewhere prescribed or imposed by ordinance.

CHARTER AMENDMENT NUMBER NINE (9) TO THE CHARTER OF THE CITY OF SANTA BARBARA.

That said charter shall be amended by striking out therefrom Section 164 of said charter, and by substituting in lieu thereof the following new section to be known and numbered as Section 164, and to be as follows:

Section 164. No office shall be created in addition to those provided for by this charter, unless by ordinance regularly adopted by the Council. Whenever in the judgment of the Council no necessity exists for the continuation of any appointive office created or provided for by this charter, said Council by an ordinance for that purpose, may discontinue such office; provided, however, the Council shall not have power to abolish or discontinue the office of chief of police, or the office of city engineer, or the office of superintendent of streets.

CHARTER AMENDMENT NUMBER TEN (10) TO THE CHARTER OF THE CITY OF SANTA BARBARA.

That said charter shall be amended by striking out therefrom Section 165 of said charter, and by substituting in lieu thereof the following new section to be known and numbered as Section 165, and to be as follows:

Section 165. All officers, deputies, clerks, and assistants of the city, and of the several departments thereof, must be citizens of the United States, and during their respective term of office or employment must reside in the city, and where not otherwise provided for must, with the exception of the city engineer, the city superintendent of schools and teachers of the public schools, have been residents of the city one year next preceding their election or appointment.

They and each of them shall perform such duties as may be required of them, respectively, by law, ordinance, or this charter, and shall only receive such compensation as may have been previously provided, and such compensation shall not be increased during the term of their respective office or employment, except as in this charter provided.

And that said George S. Edwards, as Mayor and Chief Executive of said city, and Alfred Davis, as Clerk of said city and ex-officio Clerk of the Council thereof, do hereby further certify that they have this day carefully compared the forgoing proposed and ratified amendments numbers one to ten, inclusive, to the charter of said city of Santa Barbara, with the original resolution proposing said amendments and submitting them to the qualified electors of said city at a general municipal election held in said city on the first day of December, 1903, and with the proceedings of the Council of said city on file in the office of said City Clerk subsequent to the passage of said resolution and relating to the adoption of said amendments, and from such comparison and examination we find, and hereby certify, that the foregoing contains a full, exact, true and correct copy of said charter amendments numbers one to ten, inclusive, to the charter of said city.

And we further hereby certify that the facts set forth in the preamble preceding said amendments to said charter are, and each of them is, true.

And for and on behalf of said city,—we being thereunto duly authorized,—do hereby request the Legislature of the State of California to adopt and approve said amendments numbers one to ten, inclusive, to said charter, as a whole; and to take such other and further steps and proceedings as may be necessary to perfect such approval.

In Witness Whereof we have hereunto set our hands and caused our signatures to be authenticated by the Official Seal of said City of Santa Barbara, on this the thirtieth day of December, 1904.

GEO. S. EDWARDS,

[Seal]

Mayor and Chief Executive of the
City of Santa Barbara, California.

Attest:

ALFRED DAVIS,

City Clerk of the City of Santa Barbara, California,
and Ex-Officio Clerk of the Council thereof.

Now, therefore, be it hereby

Resolved by the Assembly of the State of California, the Senate of said State concurring (and a majority of all the members elected to each house voting for and concurring therein). That the foregoing amendments numbers one to ten, inclusive, to the charter of the City of Santa Barbara, California, as proposed to, and adopted and ratified by, the qualified electors of said city, be, and the same are and each of them is hereby, approved as a whole, without amendment or alteration for, and as amendments to, and as part of, the charter of said City of Santa Barbara aforesaid.

FRANK C. PRESCOTT,
Speaker of the Assembly.

EDWARD J. WOLFE,
President pro tem of the Senate.

Attest:

C. F. CURRY,
Secretary of State.

ENDORSED:

Filed in the office of the

SECRETARY OF STATE,

the 8th day of February, A. D. 1905.

C. F. CURRY, Secretary of State.

By J. HOESCH, Deputy.

CHAPTER I

Miscellaneous General Ordinances

ORDINANCE NO. 361.

To Purchase High School Building Site in City Block No. 109.

ORDINANCE NO. 362.

To Purchase Mercedes Gutierrez Property in City Block 192.

ORDINANCE NO. 367.

An Ordinance to Require the Santa Barbara Consolidated Electric Company to Repair Certain Portions of State Street.

ORDINANCE NO. 405.

To Purchase City Block No. 204 for a City Dumping Ground.

ORDINANCE NO. 409.

An Ordinance to Require and Regulate the Issuance of Building Permits in the City of Santa Barbara.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. Before commencing the erection, construction, alteration or repairs exceeding \$100.00 in cost (restoration of plastering, papering or painting excepted) of any building in said city, other than buildings erected by said city, the County of Santa Barbara, the United States or the State of California, the owner, architect or builder, shall procure from the City Assessor a permit to make such construction, alteration or repair.

Section 2. Said permit shall be issued on written application signed by the owner, architect or builder or the owner's agent, giving the location of the proposed building or alteration, by block number and lot number according to the official city block book; the number and height of stories, the names of the owner, architect and builder, an estimate of the cost, and a statement of the purpose for which the building is required or used.

Section 3. The City Assessor shall collect a fee of \$1.00 for each permit granted.

Section 4. No permit shall be issued for a building, alteration or repair in which plumbing and drainage is used or to be used, unless the application for such permit is accompanied by a certificate of the Inspector of Plumbing that he has examined the plans for said proposed building or alteration, or (if the application is for an alteration) that he has examined the building proposed to be altered, and that the sanitary arrangements of the proposed building or alteration comply with all ordinances relating to plumbing, sanitation and drainage in force at the date of said inspector's certificate.

Section 5. No permit or certificate issued under the provisions of this act shall authorize the violation of all or any of the provisions of any ordinances of this city relating to the construction of buildings or the limits within which

certain kinds of buildings may be constructed, nor shall any such permit or certificate be available as a defense to any action, civil or criminal, for the violation of the provisions of any ordinance of this city other than this one.

Section 6. All applications and certificates made hereunder shall remain on file with the City Clerk, and upon each application shall be endorsed by him a permit to build in accordance with such application, if the same be made pursuant to the provisions of this ordinance.

Section 7. This ordinance after its passage and approval shall be published once in the Morning Press, a daily newspaper of general circulation printed and published in said city and shall take effect immediately after its passage, approval and first publication.

Section 8. Every person who as principal, agent, or employee violates any of the provisions of this ordinance shall upon conviction be punishable by a fine of not less than \$20, nor more than \$100, or imprisonment not less than one nor more than ten days, or by both such fine and imprisonment.

I hereby certify that the foregoing Ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 24th day of July, 1902, by the following vote on roll call:

Ayes—Councilmen N. D. Smith, C. E. Lataillade, Wm. Ealand, J. Will Smith, Geo. Rutherford, Jr., F. F. Pierce.

Noes—None.

Absent—Councilman C. O. Garretson.

It is hereby presented to the Mayor of said city for his approval on this 25th day of July, 1902.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 25th day of July, 1902.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing Ordinance is hereby approved this 25th day of July 1902.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 452.

(Amended by No. 527.)

**An Ordinance to Regulate the Removal and Displacement of
Electrical Wires for Persons, Firms and Corporations
Within the City of Santa Barbara Engaged in Removing a
Building or Structure, and to Punish the Violation Hereof.**

The Council of the City of Santa Barbara do ordain as follows:

Section 1. That it shall be unlawful for any person, firm or corporation within the city limits of the City of Santa Barbara and engaged in moving any building or structure, to remove or displace any overhead electrical wires, until after the expiration of notice in writing, given by the person, firm or corporation proposing to remove any such building or structure to the person or company owning or operating such electrical wires or appurtenances.

Section 2. That upon the receipt of any such notice, the person, firm or corporation owning or operating such electrical wires or appurtenances shall, within twenty-four hours thereafter, furnish the person, firm or corporation proposing such removal an estimate showing the cost of removal and displacement of such wires; and said wires shall be removed and replaced in such manner as the person or corporation owning or operating them shall determine to be necessary for the safety of the public; and the entire expense of such removal and replacement shall be borne and paid by the person, firm or corporation requiring said wire or wires removed.

Section 3. Any person removing or displacing any overhead electrical wires in violation of the provisions of this Ordinance, whether as principal, agent, servant or employe, shall, upon conviction, be punished by a fine of not less than ten or more than one hundred dollars, or by imprisonment in the city jail not exceeding ten days, or by both such fine and imprisonment.

Section 4. This Ordinance, after its passage and approval, shall be published once in the Independent, a daily newspaper of general circulation printed, published and circulated in said City, and shall take effect and be in force immediately upon its passage, approval and publication as aforesaid.

I hereby certify that the foregoing Ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 15th day of October, 1903, by the following vote on roll call:

Ayes—Councilmen C. O. Garretson, N. D. Smith, C. E. Lataillade, Wm. Ealand, J. W. Smith, H. L. Stambach, F. F. Pierce.

Noes—None.

Absent—None.

It is hereby presented to the Mayor of said city for his approval on this 16th day of October, 1903.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 16th day of October, 1903.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing Ordinance is hereby approved this 16th day of October, 1903.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 454.

An Ordinance to Add Certain New Territory Regularly Annexed to and Incorporated in the City of Santa Barbara Since the Adoption of Its Charter, Which Took Effect on the First Monday in January, 1900, to the Respective Wards of Said City.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. Whereas, since the taking effect of the charter of said city on the first Monday in January, 1900, there has been regularly added to and incorporated in said city pursuant to the provisions of Section 1 of said charter and the general law of said State, certain territory, being a parcel of inhabited land situated in the County of Santa Barbara, State of California, and adjoining the north, east and west boundaries of said city and being a continuous strip or parcel of land, which said parcel of land is bounded and described as follows, to wit:

Beginning at a point from which the point of intersection of the southwesterly line of Robbins street with ordinary mean high tide of the Pacific ocean bears N. 42 degrees E. 7.80 chains and running thence N. 52 degrees W. 25.90 chains to the middle of the so-called Mesa road; thence N. 48 degrees 30 minutes W. parallel to the southwesterly line of Robbins street to its intersection with the northwesterly line (prolonged) of Neal's Addition to the City of Santa Barbara; thence northeasterly along the northwesterly line (prolonged) of said Neal's Addition to the west bank of Mission Creek; thence northeasterly along the west bank of said Mission Creek to its intersection with the westerly line (prolonged) of the Mission lands; thence south along the said west line (prolonged) of the said Mission lands to its intersection with the northeasterly line of Constance avenue; thence southeasterly along the northeasterly line of said Constance avenue to its intersection with the northwesterly line of Second avenue (prolonged) of the Mission Addition to the City of Santa Barbara, thence along the said northwesterly line (prolonged) of said Second avenue, in a northeasterly direction, to its intersection with the southwesterly line of the road leading to the Santa Barbara Mission; thence along the southwesterly line of said road, in a northwesterly direction, to its intersection with a line drawn parallel to and distant fifty feet in a southwesterly direction from the front of the main entrance to the Santa Barbara Mission; thence along said line parallel to said Mission in a northeasterly direction to its intersection with the northwesterly line of the road leading to Mission Canon; thence along the southwesterly line of said road, in a northwesterly direction, to its intersection with the line between the lands of the Santa Barbara Mission and Caroline Hazard; thence along said line, between the lands of said Mission and Hazard, west to its intersection with the west line of land of said Hazard;

thence along the west line of land of said Hazard, in a north-westerly direction, to the northerly line of Mission Creek; thence along the northerly line of said Mission Creek, in an easterly direction, to the east side of the stone bridge on the so-called Mission Canon road; thence southerly across said Mission Creek, to the northwesterly line of so-called Mountain Drive; thence northeasterly along the northwesterly line of said Mountain Drive to its intersection with the south line of the N. W. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of Section 10, Township 4 North, Range 27 West, San Bernardino Base and Meridian; thence east along the south line of N. W. $\frac{1}{4}$ of N. E. $\frac{1}{4}$ and N. E. $\frac{1}{4}$ of N. E. $\frac{1}{4}$ of Section 10, Township 4 North, Range 27 West, San Bernardino Base and Meridian, to the west line of land of Sherman and Ealand; thence south, along the west line of land of said Sherman and Ealand to the south line of Section 11, Township 4 North, Range 27 West, San Bernardino Base and Meridian; thence east along the south line of said Section 11, to the range line between Townships 26 and 27 W., S. B. M.; thence south, along said range line between Ranges 26 and 27 W. to the south line of the so-called Coast Highway; thence along the south line of the said Coast Highway to the west line of Santa Barbara Cemetery; thence along said west line of Santa Barbara Cemetery; south to the present corporate limits of the City of Santa Barbara; thence along said corporate limits of said City Northwest, West, Southwest and Southeast, and Southeasterly to the intersection of the Southeast prolongation of said first course with said last course, to the place of beginning; and,

Whereas, It is necessary that the boundaries of the respective wards of said city shall be altered so as to include such annexed territory in one or more wards adjoining such annexed territory; and,

Whereas, The number of wards of said city is limited by its charter to seven.

Therefore, It Is Hereby Further Ordained, That all of said annexed territory which lies northeast of the middle line of Anacapa street of said city and southeast of the middle line of Cota street of said city projected in a northeasterly direction, be, and the same is hereby, added to and made a part of the First Ward of said city.

That all that portion of said annexed territory which lies southwest of the middle line of Anacapa street of said city and southeast of the middle line of Cota street of said

city as projected in a southwesterly direction be, and the same is hereby added to and made a part of the Second Ward of said city.

That all that portion of said annexed territory which lies northeast of the middle line of State street of said city and between the middle line of Cota street of said city as projected in a northeasterly direction and the middle line of Canon Perdido street of said city as projected in a northeasterly direction be, and the same is hereby added to and made a part of the Third Ward of said city.

That all that portion of said annexed territory which lies southwest of the middle line of State street of said city and between the middle line of Cota street of said city as prolonged in a southwesterly direction and the middle line of Canon Perdido street of said city as prolonged in a southwesterly direction be, and the same is hereby added to and made a part of the Fourth Ward of said city.

That all that portion of said annexed territory which lies northeast of the middle line of State street of said city and between the middle line of Canon Perdido street of said city as prolonged in a northeasterly direction and the middle line of Sola street of said city as prolonged in a northeasterly direction be, and the same is hereby added to and made a part of the Fifth Ward of said city.

That all that portion of said annexed territory which lies southwest of the middle line of State street of said city and between the middle line of Canon Perdido street of said city prolonged in a southwesterly direction and the middle line of Sola street of said city prolonged in a southwesterly direction be, and the same is hereby added to and made a part of the Sixth Ward of said city.

That all that portion of said annexed territory which lies northwest of the middle line of Sola street of said city as said middle line of said Sola street is prolonged northeasterly, to the northeast line of said annexed territory, and southwesterly to the southwest line of said annexed territory be, and the same is hereby added to and made a part of the Seventh Ward of said city.

Section 2. It Is Further Ordained, That each of the seven wards of said city (as defined and bounded in the charter thereof, commonly called the "freeholders' charter," and which was adopted by the Legislature of said State February 20, 1899, and being the charter hereinbefore re-

ferred to), together with the territory annexed to each of the respective wards, by this Ordinance is hereby established and designated as an election precinct in and for said city, and the numbers of said precincts and the boundaries of the same are hereby made to correspond with the numbers and boundaries of said wards of said city as said wards will exist upon the taking effect of this Ordinance. Provided, however, That nothing herein contained shall prevent the consolidation of any or all of such precincts at any special municipal election, such consolidation to be effected pursuant to law or ordinance. And provided further, That nothing herein contained shall prevent the division of any ward of said city to two or more election precincts.

Section 3. This Ordinance, after its passage and approval, shall be published once in The Daily News, a daily newspaper of general circulation printed, published and circulated in said city, and shall take effect and be in force immediately upon its passage, approval and publication as aforesaid.

I hereby certify that the foregoing Ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 21st day of October, 1903, by the following vote on roll call:

Ayes—Councilmen C. O. Garretson, N. D. Smith, C. E. Lataillade, Wm. Ealand, J. W. Smith, H. L. Stambach, F. F. Pierce.

Noes—None.

Absent—None.

Mayor George S. Edwards being absent from the County of Santa Barbara it is hereby presented to N. D. Smith, President of said Council and acting Mayor of said city, for his approval on the 21st day of October, 1903.

(Corporate Seal)

ALFRED DAVIS,
City Clerk of said City.

Received by me this 21st day of October, 1903.

N. D. SMITH,
President of said Council and Acting Mayor of said City.

The foregoing Ordinance is hereby approved this 21st day of October, 1903.

N. D. SMITH,
President of said Council and Acting Mayor of said City.

ORDINANCE NO. 492.

An Ordinance to Establish the Office and Officer of City Electrician, to Fix His Compensation, Define His Duties, and Provide Regulations for the Installation of, and Connection to, Electrical Wires, Apparatus and Equipment, in the City of Santa Barbara, California.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. There is hereby established the office of City Electrician of said city, the incumbent of which shall be known and designated as "City Electrician," and who shall be appointed by, and serve during the pleasure of, the Mayor of said city, and who shall give bond to said city, for the faithful performance of his duties, in the sum of five hundred dollars (\$500.00), which bond shall conform to the requirements of bonds of elective officers of said city, as prescribed by the charter of said city, and which bond shall be approved by the Mayor and Council of said city, and shall be filed with the City Clerk of said city.

Said City Electrician, before assuming the duties of his office, shall also take the oath of office required of elective officers of said city.

Section 2. The City Electrician shall have supervision of the putting in of all electrical wiring connections, appliances and apparatus in and about any building in the City of Santa Barbara. It shall also be his duty to inspect all overhead or underground wires, whether telephone, telegraph, railway, power or lighting wires, and to report in writing any unsafe condition thereof to said council. It shall also be his duty, when ordered by the Mayor or Council, to inspect any electric light system supplying light, heat or power to the City of Santa Barbara, and to report to said city all matters connected therewith required by him.

Section 3. No person, firm or corporation shall supply electric current to, equip with wiring, fixtures or apparatus, or make any alterations of, change in or addition to, any electrical wiring or apparatus in any building, without first notifying the city electrician, in writing, and receiving from

him a written permit to do the work. Such permit shall state the kind of work to be done, and shall cover only the kind of work so designated. Said permit shall also state the location, by street and number, of the building where such work is to be done, and shall be valid only for the location so stated. And when equipment is found to conform to the rules and regulations adopted herein, the City Electrician shall issue a certificate that the terms of the Ordinance have been complied with; but no certificate shall be granted until the equipment is made to conform to the rules prescribed herein, and it shall be unlawful to use any such currents for the same until certificate has been furnished in accordance with the terms of this Ordinance.

The City Electrician may, before such certificate is issued, grant temporary permit to furnish and use electric current, through any wiring, apparatus or fixtures, for a period not exceeding ten (10) days, if, in his judgment, such wiring, apparatus or fixtures are in such condition that current may be safely used therein, and there exists an urgent necessity for such use.

Section 4. The rules and regulations of the National Board of Fire Underwriters, as embodied in their National Electrical Code, as amended and published in 1903, and such subsequent additions and amendments as may, from time to time, be adopted by said board, are hereby adopted as the rules and regulations of the department of electricity of said City of Santa Barbara.

Section 5. It shall be the duty of the City Electrician to inspect all electrical equipments from time to time; and, if any part of any electrical equipment, in or about any building in the City of Santa Barbara, shall be found to be dangerous to life or property, the City Electrician shall have the right and power, and it shall be his duty to notify the owner of the building or equipment to cease using electric current in such dangerous equipment, and to have the defects in said equipment repaired within a reasonable time, not exceeding ten (10) days from date of notice. The City Electrician is also authorized to give written notice, to the company furnishing the electric current to any such dangerous equipment, to cease to supply same until the defects are repaired.

In a prosecution for a violation of the provisions of this

section, each day's neglect to comply therewith shall be considered as, and taken as, a separate violation.

Section 6. When, upon application, inspection is made of the wiring or equipment in or about any building in this city, the person, firm or corporation installing such equipment shall, before certificate is issued, pay to the City Treasurer of said city, for said inspection, the following fees, viz.:

For each permit for installations or connections.....	\$.25
Minimum inspection (10 outlets or less), where current is used or controlled.....	1.00
Over 10 outlets and including 40, each additional outlet	.05
Over 40 outlets, each additional outlet.....	.025
For each arc lamp and switch.....	.25
Alterations per outlet (4 outlets and under), each....	.25
Alterations, over 4 outlets, fees as for new work.	

For installation of motors, generators or station transformers:

For each motor of not less than one-fourth horse power, nor more than 8-horse power.....	\$.75
For each motor of more than 8-horse power, and not more than 15-horse power.....	1.00
For each motor of more than 15-horse power, and not more than 50-horse power.....	1.50
For each motor of more than 50-horse power.....	2.50
For inspection of electrical apparatus, for which no fee is herein prescribed, or for any inspection service rendered, the City Electrician shall charge, for the time actually consumed in making the inspection, a fee, per hour, of seventy-five cents.....	.75

Provided, however, That the provisions of this section regulating fees and compensation shall not apply to the inspection of any electric-light system, supplying light, heat or power to the City of Santa Barbara; but said Inspector shall receive for such service, for the time actually consumed in making the inspection, a fee, per hour, of sixty cents (0.60), to be paid on a verified demand against the general fund of said city.

All fees collected by the said City Electrician shall be paid to the City Treasurer at least once each month.

All fees paid to the City Treasurer under the provisions of this Ordinance shall be placed by him into the general fund of said city.

In cases where a building permit is necessary, the electrical permit shall not be issued until after the building permit has been issued.

All plumbing and other piping or tube work must be in place on work to be concealed before the electric wiring is inspected, and no such wiring shall be considered as completed until such piping is in place. Upon making an inspection of any electrical equipment, the Inspector shall leave a notice at the service switch, or other suitable place, stating that the electrical work has been inspected by the Department of Electricity, and it shall be unlawful to lath, ceil, or in any manner conceal any electrical wiring or other work until the same has been inspected as herein required.

Section 7. Any person, firm or corporation furnishing or supplying light, heat or power in said city, shall connect said premises specified in such certificate with the service line of such person, firm or corporation supplying light, heat or power, after notice to such person, firm or corporation of the installment of electrical wiring in any building and the exhibition to such person, firm or corporation of the City Electrician's certificate of inspection thereof, showing that the same is properly installed and within 72 hours after such notice if said service line pass within 225 feet of the building described in such certificate; otherwise, within 15 days.

Provided, however, That the person desiring such service shall express his willingness to, and shall comply with the rules and regulations of such person, firm or corporation regulating their service to consumers.

Section 8. Any person, firm or corporation who shall do, or attempt to do, electrical installation, fixture or service connection work, whether original or alterations, without giving notice, in writing, to the City Electrician, and without first obtaining a permit to do such work, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punishable by a fine in the sum of not less than ten dollars (\$10.00), nor more than one hundred dollars (\$100.00), or by imprisonment in the city jail for a period not exceeding ten (10) days, or by both such fine and imprisonment, for each offense; and any person, firm or corporation who shall violate any of the provisions of this ordinance, for which a penalty is not herein otherwise provided, and any occupant or owner of premises where electric wiring or apparatus is used, or to be used, who shall prevent or interfere with any

inspector in the discharge of his duties under this ordinance, he or they shall be deemed guilty of a misdemeanor, and, upon conviction, be punishable by a fine of not less than five dollars (\$5.00), nor more than one hundred dollars (\$100.00), or by imprisonment in the city jail for a period not exceeding ten (10) days, or by both such fine and imprisonment.

Section 9. This Ordinance shall not be construed to relieve from or lessen the responsibility of any party owning, operating, controlling or installing any electrical equipment for damages to any one injured by any defect therein, nor shall the city be held as assuming any such liability by reason of the inspection authorized herein or certificate issued hereunder.

Section 10. For his compensation as such City Electrician, the incumbent of such office shall be entitled to receive monthly, on a verified demand against the general fund of said city, the amount of all fees collected and paid into the city treasury under the provisions of this Ordinance during the preceding calendar month.

Provided, That all verified demands of said City Electrician for compensation shall not, in any month, exceed the sum of one hundred dollars (\$100.00).

Section 11. This Ordinance, after its passage and approval, shall be published once in The Morning Press, a daily newspaper of general circulation, printed, published and circulated in said city; and shall take effect and be in force immediately upon its passage, approval and publication, as aforesaid.

I hereby certify that the foregoing Ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 15th day of September, 1904, by the following vote on roll call:

Ayes—Councilmen N. D. Smith, E. G. Dodge, J. W. Smith, Peter Poole, F. F. Pierce.

Noes—None.

Absent—Councilmen C. O. Garretson, C. E. Lataillade.

It is hereby presented to the Mayor of said city for his approval this 16th day of September, 1904.

(Seal)

ALFRED DAVIS,
City Clerk of said City.

Received by me this 16th day of September, 1904.

N. D. SMITH,
President of Council and Acting Mayor of said City.

The foregoing Ordinance is hereby approved this 16th day
of September, 1904.

N. D. SMITH,
President of Council and Acting Mayor of said City.

ORDINANCE NO. 523.

To Establish Ten Municipal Election Precincts in City.

ORDINANCE NO. 524.

**An Ordinanet Providing for the Inspection of Steam Boilers
and Elevators, and for the Appointment of Inspector of
Steam Boilers and Elevators, and Also to Provide for the
Appointment of a Board of Examining Engineers in the
City of Santa Barbara and the Licensing of Engineers in
Charge of Steam Boilers.**

The Council of the City of Santa Barbara, California, do
ordain as follows:

Section 1. The office of Board of Examining Engineers
is hereby created to consist of three engineers who have
had not less than seven years' practical experience as sta-
tionary engineers, and at least two of said Board to be
stationary engineers who have been employed not less than
two years prior to appointment to office as Chief Engineers
in said City of Santa Barbara.

Section 2. It shall be the duty of said Board to examine
all applicants for engineer's license as hereinafter provided,
to have supervision over examining all engineers and to per-
form such other duties as are hereinafter provided. Said
Board shall hold one meeting a month on the second Tues-
day of each month for the purpose of examining applicants

for license, and shall hold as many special meetings in each month as their business may require. The members of said Board shall be appointed by and hold office during the pleasure of the Mayor of said City, and they shall receive no compensation for their services.

Section 3. The Mayor shall, within fifteen days after the appointment of the Board of Examining Engineers, appoint an Inspector of Boilers and Elevators, who shall be an engineer of approved character and habits, and who shall have had at least five years' experience at boilermaking, either as engineer or boilermaker, and competent to examine boilers and elevators. Said Inspector shall receive as compensation for his services seventy-five per cent of the fees collected as hereinafter provided, and shall hold office during the pleasure of the Mayor of said City.

Section 4. The said Inspector of Boilers and Elevators shall devote such time and attention as is necessary to the duties of his office, and shall carefully inspect and test, as provided in this ordinance, every boiler or steam generating apparatus under pressure used for power, as well as all attachments and connections, located within the City of Santa Barbara, at least two times in each year. Said Inspector shall also inspect all mangles, steam kettles under pressure, and all boilers or steam generating apparatus not above specified, at least once in each year. Said Inspector shall keep a complete and accurate record of the names of all owners or users of any steam boiler or steam generating apparatus hereinbefore referred to, giving a full description of the boiler or apparatus inspected and the amount of pressure allowed, the date when last tested or inspected, which record shall be kept at the office of the Board of Examining Engineers, and open to the inspection of the public. Said Inspector shall notify all owners or users of boilers or other parties above mentioned of the time when a re-inspection or test will be made at least five days before the expiration of the certificate of inspection, and appoint a date on which a reinspection will be made.

The manner of the inspection shall be substantially as follows: Said Inspector shall have the option of making the hammer test or the hydrostatic test, or both. If the hammer test be used, the examination shall be thorough and searching upon every part of the boiler, both internal and external, including all fittings and attachments. If the

hydrostatic test be used, each boiler or steam generating apparatus hereinbefore mentioned shall be tested by a hydraulic pressure, such hydraulic pressure not to exceed thirty per cent greater than the safe working pressure, and the certificate of inspection hereinbefore provided for shall state the maximum pressure at which any such boiler or steam apparatus above mentioned may be worked. In case a defect shall be discovered in any boiler, attachment thereof, or any other apparatus hereinbefore referred to, the said Inspector shall report the same to the owner or user of the same, and state the facts of such defects in writing, giving a description of the particular locality in which said defect may be found, and whether of a dangerous character and necessitating immediate repair. If the said Inspector shall at any time find any such boiler or any other apparatus hereinbefore referred to, which in his judgment is unsafe, after such inspection he shall condemn its further use. All boilers or other apparatus hereinbefore mentioned, which are tested by hydraulic pressure, shall be filled with water by the owner or user thereof, and such owner or user shall furnish the necessary labor required to work and handle the pump in applying the test. If any leaks occur in any such boiler or any apparatus hereinbefore referred to which prevent a successful test, it shall be the duty of the owner or user of the same to forthwith repair any and all such leaks. and upon such repair being made, to notify the said Inspector, who shall thereupon make a second test. If upon making the second test the boiler or other apparatus is still defective, the owner shall pay, and it shall be the duty of the Inspector to collect, an additional inspection fee, but in no case shall he give a certificate until fully satisfied of the safety of the boiler or other apparatus. All certificates of inspection shall be for six months and no longer.

Section 5. The Inspector and Board of Examining Engineers shall be provided with all needed blanks and stationary necessary for their official duties, and said Board shall within ten days after their appointment, organize and appoint one of its members as Chairman and another as Secretary. The Chairman of said Board shall have power to call a special session of the Board whenever necessary. A majority of the members of said Board shall constitute a quorum for the transaction of said business, and said Board shall make a careful and thorough examination as to the

qualification of all applicants for engineer's license. The Secretary shall keep a true and correct record of the minutes and proceedings of said Board, and shall keep a register of the names of all applicants designating those found qualified and those not qualified. Said Board shall grant certificates of license to all persons found qualified, and shall charge and collect from each applicant the sum of three dollars. Such license shall be good for the term of one year, unless otherwise revoked, and shall be signed by not less than two members of said Board. The Board of Engineers may adopt such rules and regulations as they shall deem proper, not inconsistent with the provisions of this ordinance and the general law. A full Board of Engineers by a unanimous vote shall have power to revoke an engineers' license for inebriety, incompetency or neglect of his duties when in charge of an engine in use, and may order the re-inspection of any boiler whenever they shall deem it necessary for the public safety, but no license shall be permanently revoked without first giving the accused party an opportunity to be heard in his own defense.

Section 6. Any owner or user of a steam boiler feeling aggrieved on account of any decision of the said Inspector, may appeal to the Board of Examining Engineers, and upon a thorough and careful investigation of the matter at issue between the parties, a majority of the Board shall decide the question, which decision shall be final in all cases.

Section 7. In case any owner or user of any boiler for any cause be deprived of the services of a licensed engineer he must notify the Inspector of Boilers and Elevators at once, and may place an experienced person in charge for a time not beyond the date of the next regular meeting of the Board of Examining Engineers.

Where boilers are used and engines run night and day, the owner or user of the same must employ at least two licensed engineers, who may stand watch alternately. Any person intending to erect or cause to be erected or used a boiler or boilers, or other steam generating apparatus, shall notify the said Inspector of such intention in writing, giving the place or location where said boiler, boilers or steam generating apparatus is to be located.

Section 8. All elevators for the carriage of passengers in the said City of Santa Barbara hereafter constructed or

installed in any building in said City shall have the following safety appliances, to-wit: Every such elevator shall be provided with an efficient apparatus to prevent the falling of the car in case of accident, which said appliance shall be constructed to the satisfaction of the said Inspector of Boilers and Elevators of said City, and shall be of sufficient strength to sustain said elevator when bearing the maximum load which said elevator is capable of carrying.

It is further provided that whenever any such elevator hereafter constructed or installed is to be operated by means of cables by which the car thereof is suspended, such cables shall be of sufficient number and strength to sustain six times the maximum load of passengers that the car of said elevator is capable of carrying; and it is hereby further provided that the combined weight of the balance weights with which said elevator is furnished shall not exceed one-sixth of the weight of the maximum load that the cables by which any such car is suspended are capable of sustaining. All such weights and cables shall be so constructed and installed to the satisfaction of the Boiler Inspector of said City.

It is hereby further provided that all elevators now in use or installed in any building in said City of Santa Barbara shall within nine months from the date of the approval of this Ordinance be made to conform with the above requirements.

It is hereby further provided that before any elevator shall be hereafter constructed or installed in any building in said City of Santa Barbara, or before an elevator now in use shall be reconstructed to conform to the provisions of this ordinance, the person or persons about to construct or install the same shall file with the said Inspector of Boilers and Elevators plans and detail drawings of said elevator. Said Inspector shall thereupon endorse upon the said plans and drawings his approval of the same if the same are in compliance with the provisions hereof and the construction or installation of said elevators shall not commence before the said Inspector has so approved the said plans and detail drawings in writing. Upon the completion of the construction or installation of any elevator or the reconstruction of the same as above provided, said Inspector shall, upon demand of the owner thereof or the contractor or other person constructing or installing the same, inspect such elevator, and if the same has been constructed and installed in com-

pliance with the terms of this Ordinance and to the satisfaction of such Inspector, said Inspector shall issue his certificate in writing to that effect to the owner of the building in which said elevator is situated. No elevator so constructed, installed or reconstructed as aforesaid shall be employed for the carrying of passengers until said certificate of approval has been issued by said Inspector.

It is hereby further provided that said Inspector shall inspect every six months all passenger elevators in use in said City. Such Inspector shall have the power to condemn any appliance used in the construction or operation of any elevator in the City of Santa Barbara not constructed in compliance with the terms hereof, or which may have been weakened or deteriorated from wear or tear or any other cause, or which may have been dangerous or unsafe for the carriage of passengers, and no person shall continue to operate or use, or if having the control thereof, permit to be operated or used any such elevator after the same or any appliance thereof has been so condemned, before the same has been reconstructed or repaired to the satisfaction of said Inspector. The approval of said Inspector in that behalf to be evidenced by a certificate in writing signed by said Inspector.

Section 9. No owner or user of any boiler, boilers or steam generating apparatus, passenger elevator or other apparatus hereinbefore referred to, shall allow, permit or cause the same to be used for the purposes intended until after the same has been inspected and tested and inspection fee paid, as here in this ordinance provided, and one every six months thereafter, as herein provided, except mangles and steam kettles, which shall be inspected annually. No owner or user or engineer in charge of the same shall allow or permit any boiler, boilers or steam generating apparatus or other apparatus hereinbefore referred to, to carry a greater pressure than is allowed and stated in the certificate of inspection. No owner or user or other person operating the same shall use or permit to be used any boiler or other apparatus which has been condemned as unsafe by the said Inspector. Every owner or user of steam boilers or steam generating apparatus used for heating purposes and carrying not more than ten pounds pressure, shall have the safety valve of such boiler set by the Boiler Inspector at least once a year, said safety valve to be so constructed that the same

may be sealed by the said Inspector. It shall be unlawful for any person to break, injure, interfere with, or in any manner destroy any such seal. No person, either as owner or otherwise, shall use or operate, or cause to be used or operated, any steam boiler or steam generating apparatus carrying any steam pressure until having first obtained from the said Inspector a permit to operate or use the same. Such permit shall specify the pressure at which the said Inspector has set the safety valve as aforesaid.

Section 10. Every owner or user of any boiler or boilers or steam generating apparatus of 5-horse power or over, when the same are in use, must employ a competent engineer, having an unexpired certificate of license from the said Board of Examining Engineers, and no such owner or user shall employ any person to operate or use the same other than such a competent engineer having an unexpired license, as aforesaid.

Section 11. No person shall run or operate any steam boiler or steam generating apparatus in the City of Santa Barbara of 5-horse power or over without obtaining a certificate of license as herein provided for. Provided, however, that automobiles are expressly excepted from the provisions of this ordinance.

Section 12. The City Clerk shall issue to the Board of Examining Engineers certificates of inspection of steam boilers, mangles, steam kettles and passenger elevators, and also engineers' certificates of license regularly numbered and duly signed by said officer in proper denominations, and to meet the requirements of this Ordinance with a blank for the owner's or user's name, date, pressure, locality and number of the boiler, mangle or steam kettle, and class of engineer. The Board of Examining Engineers shall issue such certificates to the said Inspector of Boilers and Elevators and charge them to him. The said Inspector shall collect from all owners and users of boilers or other apparatus hereinbefore mentioned the following inspection fees and no more:

For every boiler, five dollars per annum, except for boilers carrying less than ten pounds pressure to the square inch.

For every boiler carrying a pressure of less than ten pounds to the square inch the sum of one dollar for each inspection.

For every mangle, one dollar per annum. For every steam kettle, one dollar per annum.

The foregoing fees where payable per annum are payable upon the first inspection made each year.

For every passenger elevator, one dollar for each inspection, the same to be paid at the time of inspection.

The said Inspector shall, upon receipt of the inspection fees, if the apparatus inspected conforms in all particulars to the requirements of this Ordinance, deliver to the owner or user of the same certificate of inspection herein provided for, duly signed and filled out by said Inspector. It shall be the duty of the owner or user of such apparatus receiving said certificate of inspection to display the same in some prominent place near where such boiler or other apparatus is being used and operated. It shall be the duty of the said Inspector to make monthly returns to the City Clerk of all fees collected hereunder, giving the names of the persons from whom collected, and said Inspector shall pay such moneys to the City Treasurer at least once in each month. All fees collected hereunder shall be placed in the general fund of said City, and all moneys paid out hereunder shall be paid out only upon warrant duly approved and allowed by the said Council of said City, and shall be paid out of the general fund of said City.

Section 13. The said Inspector shall make his semi-annual report to the City Clerk, reporting the full number of boilers in the City, the number in use, the number inspected and the number condemned as unsafe. He shall report the date, name of the owner and the locality of every boiler accident, whether it be from a rupture or collapse of flue or explosion of the shell of the boiler, stating his belief as to the cause thereof. He shall further report the number and names of applicants for engineer's licenses, the number rejected and the number granted certificates. Such reports shall be signed by a majority of the Board of Examining Engineers, and open to the inspection of all persons interested. All reports in this Ordinance required to be made by said Boiler Inspector to the City Clerk must be made in duplicate and one copy thereof furnished to the Board of Examining Engineers.

Section 14. The said Inspector of Boilers and Elevators shall give a bond to the City of Santa Barbara in the penal sum of five hundred dollars, with two or more sureties,

to be approved by the City Council, conditioned to the faithful, skillful and impartial performance of the duties of his office, as they are now or may be hereafter prescribed, and that he will fully account for and pay unto the City Treasurer all moneys received by him as herein provided.

Section 15. If the said Inspector shall neglect or fail to discharge his duty by reason of inebriety or by neglecting to perform the duties of Inspector or to pay over money received for inspection, as provided in this ordinance, or in any manner use his position for corrupt or dishonest purposes, he shall be deemed guilty of misdemeanor, and on conviction thereof shall be fined a sum not less than ten dollars and not exceeding one hundred dollars, or by imprisonment in the City Jail not less than one nor more than ten days, or by both such fine and imprisonment, and shall also forfeit his office.

Section 16. All engines and boilers of locomotives, used on railroads, and all engineers operating the same exclusively, are exempt from the provisions of this ordinance.

Section 17. Every applicant for a license who fails to pass the examination of the Board shall be required to wait four weeks before making another application, and thereupon the Board shall give him another examination. Any applicant who fails to pass after the third trial shall not be permitted to again appear before said Board for four months. Every engineer licensed by the Board and every engineer whose license is vised by the Board shall notify the said Inspector of any employment which he may enter into as such engineer, and within three days thereafter the name of his employer and the location of the boiler or other apparatus in his charge. Every engineer licensed by the Board or whose license is vised by the Board, shall semi-annually report to the said Inspector during the first three days of the months of January and July of each year, the condition of the boiler or other apparatus and their connections, under or in his charge. An application for the renewal of a license shall be made not later than the first meeting of the Board next following the expiration of the license, and unless the foregoing provision is complied with the Board may, at its discretion, order a new examination. All licenses granted to applicants hereunder, and all renewals of the same as hereinbefore provided, shall be good for one

year from the time of said granting or renewal, unless sooner revoked. The Board of Examining Engineers shall have the power and it shall be their duty to revoke the license or renewal of a license theretofore granted to any person holding or receiving the same who fails, neglects or refuses to comply with any of the provisions of this Ordinance or the duties imposed thereby. It shall be the duty of the Secretary of the Board of Examining Engineers to collect from every applicant for a license before examining said applicant the sum of three dollars, examining fee, and also one dollar before the renewal of any license as hereinbefore provided, which said fees shall be paid by said Secretary to the City Treasurer of said City. Every engineer or other person required by said Ordinance to have a certificate of license from the Board of Examining Engineers shall keep the same posted in a conspicuous place at or near the engine, boiler or steam generating apparatus or other apparatus of which he is in charge.

Section 18. Any person, firm or corporation failing, neglecting or refusing to comply with any of the provisions of this ordinance, or failing to do or perform any of the duties or acts imposed hereby or herein, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not less than ten dollars nor more than one hundred dollars, or by imprisonment in the City Jail not less than one day nor more than ten days, or by both such fine and imprisonment. Each day's violation of any of the provisions of this Ordinance shall constitute a separate offense.

Section 19. Nothing herein contained shall preclude, prevent or bar the collection of said license tax by said City by suit in a Court of competent jurisdiction, nor shall prosecution or punishment hereunder operate as a bar to said suit or collection, but the power to maintain such suit is hereby confirmed and reserved.

Section 20. This Ordinance, after its passage and approval, shall be published once in the Independent, a daily newspaper of general circulation, printed, published and circulated in said City, and shall take effect immediately on its passage, approval and publication as aforesaid.

I hereby certify that the foregoing Ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this

25th day of September, 1905, by the following vote on roll call:

Ayes—Councilmen C. O. Garretson, C. E. Lataillade, E. G. Dodge, J. W. Smith, P. Poole, F. F. Pierce.

Noes—None.

Absent—Councilman N. D. Smith.

It is hereby presented to the Mayor of said city for his approval on this 26th day of September, 1905.

(Seal)

ALFRED DAVIS,
City Clerk of said City.

Received by me this 26th day of September, 1905.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing Ordinance is hereby approved this 26th day of September, 1905.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 527.

An Ordinance to Amend Ordinance Number 452 of the City of Santa Barbara, California, by Substituting a New Section Therein in Lieu of Section Number Two of Said Ordinance Number 452.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. Ordinance No. 452 of said City of Santa Barbara, passed October 15, 1903, is hereby amended by striking out from said Ordinance Section 2 thereof, and inserting in lieu of said Section 2, the following section:

“Section 2. Upon receipt of any such notice the person, firm or corporation owning or operating such electrical wires or appurtenances shall, within twenty-four hours thereafter, move, cut or raise such wires upon any street or public place designated in such notice, so as to allow the building or structure being moved to pass thereunder.

If the wire or wires necessary to be so removed be twenty-five feet or more from the surface of the ground thereunder then the person desiring such wire or wires removed shall pay to the person, firm or corporation owning or operating such wires the actual and reasonable cost of the removal and replacement thereof. If the wires so to be removed be electrical, street car or trolley wires, or guy-wires attached to such trolley, the person desiring such removal shall pay to the person, firm or corporation owning or operating such trolley or guy-wires the actual reasonable cost of removal and replacement thereof. If any wire or wires, cable or cables other than said trolley and guy-wires shall be within the distance of twenty-five feet from the surface of the ground thereunder, the person, firm or corporation owning or operating such wire or wires shall within twenty-four hours after receipt of the written notice from the person desiring such removal for the purpose of permitting a building or structure to pass thereunder, remove the same for the purpose of such passage, and replace the same, and shall not have the right to charge or collect any sum whatever from such person desiring said removal; PROVIDED, HOWEVER, that the removal and replacement of all wires shall be in such manner as the person or corporation owning or operating the same shall determine to be necessary for the safety of the public."

Section 2. This Ordinance, after its passage and approval, shall be published once in The Daily News, a daily newspaper of general circulation, printed, published and circulated in said City of Santa Barbara, and shall take effect and be in force immediately upon its passage, approval and publication as aforesaid.

I hereby certify that the foregoing Ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 2nd day of November, 1905, by the following vote on roll call:

Ayes—Councilmen C. O. Garretson, N. D. Smith, E. G. Lodge, J. W. Smith, Peter Poole, F. F. Pierce.

Noes—None.

Absent—Councilman C. E. Lataillade.

It is hereby presented to the Mayor of said city for his approval on this 3rd day of November, 1905.

(Seal)

ALFRED DAVIS,
City Clerk of said City.

Received by me this 3rd day of November, 1905.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing Ordinance is hereby approved this 3rd day of November, 1905.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 538.

Fixing the Uniform Rate to Be Charged and Collected by Any Person, Company, Association or Corporation Other Than the City of Santa Barbara, for the Use of Water Supplied to the City of Santa Barbara or the Inhabitants Thereof, for the Year Beginning July 1, 1906.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. That the rates to be charged and collected monthly by any person, company, association or corporation other than the City of Santa Barbara, for the use of water supplied by it to the said city or the inhabitants thereof, for the year beginning July 1, 1906, are hereby fixed as follows:

For each private residence occupied by not more than three persons	\$ 1.00
For each private residence occupied by more than three persons and not more than five persons.....	1.25
For each additional person over five persons.....	.10
For each bath tub in private residence.....	.20
For each water closet in residence attached to sewer, cesspool or drain.....	.25
For boarding houses not exceeding six persons, or rooms, each	1.50
For boarding houses, each additional person, or room occupied10
For hotels of 100 or more rooms, each.....	10.00
For hotels of 75 rooms and less than 100 rooms, each	8.00
For hotels of 40 rooms and less than 75 rooms, each.	5.00

For hotels of less than 40 rooms, each..... 4.00

In addition to above rates hotels should be charged:

For each room for boarders.....	\$.10
For each bath tub.....	.50
For each water closet.....	.50
For each urinal.....	.25
For each laundry, per room.....	.05
For restaurants, each.....	\$2.00 to 3.00
For lodging houses of 8 rooms or less.....	2.00
For each lodging house of over 8 rooms.....	2.50
For each wash house employing one washer.....	3.00
For wash house, each additional washers in same....	2.00
For saloons or bar rooms, each.....	2.00
For barber shops having one chair.....	1.00
For barber shops, each additional chair.....	.25
For barber shops, each bath tub.....	.50
For blacksmith shop.....	1.00
For wagon shop, separate from blacksmith shop.....	1.00
For large stores.....	1.50
For small store or shop.....	1.00
For livery stables.....	1.00
For livery stables, in addition to above, for each horse25
For livery stables, in addition to above, for each vehicle10
For photograph gallery.....	1.50
For banks	1.00
For printing office (in addition to engine).....	1.50
For butcher shops, each.....	\$1.50 to 3.00
For drug stores, each.....	1.50
For soda fountain (in addition to rate for store)....	.25
For bakeries, each.....	1.50
For each occupied room or office in second or third story50
For dentists' offices, each.....	1.00
For churches, each.....	1.00
For public schools according to average attendance of students, for each student.....	.02
For gas works	4.00
For steam engine or boiler, per horse power.....	.15
For water used in making mortar, plastering, etc., for each barrel of lime or cement used.....	.10
For water used for wetting brick, for each 1,000 brick10

For each water closet, not otherwise specified, except city water closets.....	.50
For each urinal, not otherwise specified, except city urinals25
For private stable or barn, including 1 horse and 1 vehicle25
For private stable or barn, for each additional horse.	.15
For private stable or barn, for each additional vehicle	.10
For each horse, mule, or other animal not otherwise specified15
For irrigating and sprinkling of lawns, gardens, etc., as follows:	
For lawns, for each square yard.....	½c
For flowers and vegetable gardens, plants, shrubbery, etc., for each square yard.....	¼c
Provided, however, that in all cases when the supply for irrigation or sprinkling is taken throughout the year, only two-thirds of the above rates for the same shall be charged monthly.	
For water used for sprinkling streets and flushing sewers by means of water carts, for each load of 600 gallons	\$.10
For water used for flushing sewers with flushing tanks, at the minimum rate for water furnished by meter as hereinafter specified.	

METER RATES.

Section 2. Water furnished for purposes other than the above, or upon demand of consumers as provided by Section 3 hereof, shall be supplied by meter at the following rates, provided that the monthly bill shall not be less than \$1.25.

For any quantity not exceeding 20,000 gallons in any month, 25 cents per thousand gallons; for all water consumed in excess of 20,000 gallons in any month (in addition to the above rates) 20 cents per thousand gallons for such excess.

Section 3. Any consumer of water supplied as aforesaid, whose monthly bill is not less than \$2.00 may, upon two weeks' notice in writing to the person, company or corporation supplying water, have the same measured and adjusted by meter, and pay said company, person or corporation supplying the same according to the quantity actually consumed at the rates above fixed, as specified in Section 2 hereof ac-

according to monthly consumption: Provided, however, that the monthly bill to such consumer while so supplied by meter shall not be less than \$1.25. Such meter shall be furnished and set by and at the cost of the person, company or corporation supplying water.

Provided, That any consumer may elect to pay a monthly rate of \$48.00 and receive water to the extent of 400,000 gallons, each month, without other charge; but for all water taken by a consumer so electing; in excess of 400,000 gallons he shall pay 12 cents per 1,000 gallons for such excess.

Section 4. The Santa Barbara Water Company, or any person, company or corporation supplying water as aforesaid, shall have the power in all cases to ascertain by meter the quantity of water used by any consumer, and fix the price according to meter rates, as provided by Section 2, provided that the monthly bill of such consumer shall not be less than his bill at the regular monthly rates above specified, unless such monthly bill exceeds the said sum of \$1.25, in which case the same shall not be reduced below the said sum of \$1.25.

Section 5. When either the company, corporation or person supplying water as aforesaid, or the consumer shall have elected to supply or take water by meter rates as herein provided, and shall have connected with the premises supplied a meter for that purpose, the said meter shall not be removed without the consent of both the party supplying said water and the party consuming the same within less than one year after the meter shall have been so connected.

Section 6. The bills for water to be furnished for any purpose at fixed monthly charges as above provided for, shall be due and collectible on the first of each month. The foregoing rates shall be collected only when the water is actually furnished during the hours from 5 a. m. until used for any month, the meter readings may be taken at any for the time, within said hours, during which the consumer is not supplied. All bills for water furnished by meter shall be due and payable at the end of the month for which the water is measured. To ascertain the measurement of water used for any month, the meter readings may be taken at any time between the 24th day of any month and the first day of the succeeding month, and the quantity indicated by the meter as having been used between the time of taking such

reading and that of the last preceding reading shall be deemed to be the quantity consumed during the month in which the first-mentioned reading is taken.

Section 7. This Ordinance shall not be considered or construed as a contract on the part of the City of Santa Barbara with the Santa Barbara Water Company, or with any person, company or corporation supplying water as aforesaid, to pay to said company, or any such company, person or corporation for water which should be supplied free of charge to said city by it or him, as required by law or agreement.

Section 8. This Ordinance shall not be construed as fixing a rate or rates for the sale by said city of water from its municipal water system.

Section 9. The rates fixed and regulated by this Ordinance shall go into effect the first day of July, 1906, and continue in force for the term of one year, and no longer; and this Ordinance shall be published once in The Morning Press, a daily newspaper of general circulation, printed, published and circulated in said City of Santa Barbara, California.

I hereby certify that the foregoing Ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this first day of March, 1906, by the following vote on roll call:

Ayes—Councilmen W. T. McKnight, N. D. Smith, Wm. Raffour, E. G. Dodge, J. W. Smith, Peter Poole, J. C. Haslinger.

Noes—None.

Absent—None.

It is hereby presented to the Mayor of said city for his approval on this 2d day of March, 1906.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 2d day of March, 1906.

THOMAS D. WOOD,
Mayor of said City.

The foregoing Ordinance is hereby approved this 3d day of March, 1906.

THOMAS D. WOOD,
Mayor of said City.

ORDINANCE NO. 539.

To Fix the Fair Cash Value, Cost of Maintenance and Repair, Rates of Tolls and Wharfage to be Charged and Collected for the Use of the Wharf Situated in the City of Santa Barbara, California, of Stearns Wharf Company, for the Year Beginning July 1, 1906.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. The fair cash value of the wharf of the Stearns Wharf Company, a corporation, and the cost of maintenance and repair thereof, are hereby fixed as follows:

Value	\$60,000 00
Cost of maintenance and repairs	9,396 00

Sec. 2. The rates of tolls and wharfage for the year beginning July 1, 1906, on said wharf, are hereby fixed and established as follows:

On all vessels or steamers owned in, or making this home port for use of landing small boats to the wharf, where the said vessel or steamer is less than fifteen tons register, per annum	\$15 00
On same, fifteen tons and not exceeding one hundred tons	25 00
On same, one hundred tons or upwards	50 00
On all sailing vessels using the wharf for landing or taking freight or passengers by boat or lighter, or by any other means on each downward or upward trip	10 00
On all vessels, boats, lighters or steamers of less than fifteen tons register, while making fast to the wharf or its moorings for the purpose of discharging freight, per diem	3 00
On all such craft of fifteen tons, and not exceeding one hundred tons register, per diem	5 00
On the same, one hundred tons register, and upwards, per diem	10 00
On boatmen landing at the wharf, for each boat per month, if owned in port	1 50

On raw and manufactured products of the farm, per ton weight	1 00
On merchandise not otherwise specified, per ton weight or measure	1 00
Minimum charges on merchandise	15
On lemons, per ton weight	75
On powder, combustibles and articles of heavy weight or requiring unusual care in handling, an increase in the rates in the same ratio as are made by the transportation companies plying ves- sels at this port:	
On lumber, per thousand feet.....	1 25
Shingles, per thousand	15
Laths, per thousand	25
Shakes, per thousand	50
Fencing posts, per hundred	1 25
Wood, per cord	1 25
On dry hides, apiece	05
On lime, per barrel	15
On animals, in droves of ten or more, per head, as follows:	
Sheep	05
Hogs	10
Cattle, horses, mules and jackasses.....	25
On a number less than ten, or on animals of high blood and great value, an increase on rates last above mentioned in same ratio that the trans- portation companies usually make, or per head...	1 50
And a like ratio of increase on hogs, and sheep of like number and quality.	
Persons driving or riding out and back on the wharf, at a speed not greater than six miles an hour, on horseback	10
One horse and vehicle	15
Two horses and vehicle	25
For each additional span of horses.....	25
For riding or driving faster than six miles per hour, double rates on the above.	
The minimum charge for wharfage shall be	15

Sec. 3. The said corporation, the owner of said wharf, is hereby authorized to charge and collect the tolls and wharfage fixed, and none other; and said corporation shall cause to be posted in at least two conspicuous places on said wharf, legibly written or printed copies of said rates.

Sec. 4. This ordinance shall be published once in The Morning Press, a daily newspaper of general circulation printed, published and circulated in said city, and shall take effect July 1, 1906, and be in force for one year thereafter.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this first day of March, 1906, by the following vote on roll call:

Ayes: Councilmen W. T. McKnight, N. D. Smith, Wm. Raffour, E. G. Dodge, J. W. Smith, Peter Poole, J. C. Has-singer.

Noes: None.

Absent: None.

It is hereby presented to the mayor of said city for his approval on this 2d day of March, 1906.

ALFRED DAVIS,
City Clerk of Said City.

Received by me this 2d day of March, 1906,

THOMAS D. WOOD,
Mayor of said City.

The foregoing ordinance is hereby approved this 3d day of March, 1906.

THOMAS D. WOOD,
Mayor of said City.

ORDINANCE NO. 540.

An Ordinance to Permit and Regulate the Construction and Maintenance of Electrically Illuminated Signs Over Sidewalks.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. The construction and maintenance of electrically illuminated signs over and above sidewalks in the

City of Santa Barbara is hereby permitted subject to the following provisions, conditions and limitations:

Sec. 2. Before beginning the construction of any such sign the person desiring to construct and maintain the same must submit to the superintendent of streets of this city plans and drawings of such sign and a written description of the place where it is proposed to place such sign. Thereupon said superintendent of streets shall inspect such place, and if such proposed sign complies with the provisions of this ordinance he shall issue a written permit for the construction thereof and shall supervise the construction thereof and require that said sign be securely fastened to the wall or front of the building on which it is placed in such manner as to make such sign safe and secure at all times.

Sec. 3. Such signs shall be so constructed as not to project over the sidewalk more than sixteen inches during the daytime, nor more than eleven feet at night, and shall be so constructed as to fold back against the wall on which they are fastened and shall be kept so folded back during all times when not lighted. All of such signs shall be kept constantly lighted when swung over or across the sidewalk.

Sec. 4. All of such signs shall be constructed of metal framework, of a strength and construction to be approved by the superintendent of streets, and no inflammable material shall enter into the composition of any such sign. The lower edge of all of such signs shall not be closer than ten feet to the surface of the sidewalk beneath.

Sec. 5. For the inspection and permit above mentioned the superintendent of streets shall charge and collect in advance a fee of one dollar, which shall be paid into the general fund of said city. After installation of any such sign, and before its use, the city electrician shall inspect the same and see that the electrical connections conform to the laws and ordinances of this city, for which inspection he shall receive a fee of fifty cents, payable in advance.

Sec. 6. All signs constructed under this ordinance shall be constantly maintained in a state of security and safety,

and the person maintaining such sign shall take any such additional measures to insure such security and safety as may be required by the superintendent of streets in the exercise of a reasonable discretion, failing in which the permit for such sign may be revoked by a written notice signed and served by the superintendent of streets, and such sign must be forthwith detached and removed.

Sec. 7. A permit granted under this ordinance shall not be construed to create a franchise; but each and all such permits are mere revocable licenses which may be terminated by revocation, as above described, or by repeal or amendment of this ordinance.

Sec. 8. No person shall maintain an electrically illuminated sign over or across any sidewalk, which does not conform to the provisions of this ordinance and for which a permit has not been obtained and electrical inspection had.

Sec. 9. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be punishable by a fine of not less than five nor more than fifty dollars, or by imprisonment in the city jail not less than one nor more than ten days, or by both such fine and imprisonment; and this city reserves the right, either with or without such conviction, to maintain an action in the proper court to abate as a public nuisance any such sign constructed contrary to the provisions of this ordinance; and all electrically illuminated signs constructed or maintained contrary to the provisions of this ordinance are hereby declared to be public nuisances, and to interfere with the free use in the customary manner of the street over or upon which they are constructed.

Sec. 10. This ordinance shall be construed to embrace and apply only to electrically illuminated signs, and not to apply to any electrically illuminated sign which is entirely upon private property; but such last-mentioned signs shall, nevertheless, be subject to electrical inspection as provided by ordinances of this city now or hereafter in force.

Sec. 11. This ordinance, after its passage and approval, shall be published once in The Morning Press, a daily

newspaper of general circulation printed, published and circulated in said city, and shall take effect and be in force immediately upon its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this first day of March 1906, by the following vote on roll call:

Ayes: Councilmen W. T. McKnight, N. D. Smith, Wm. Raffour, E. G. Dodge, J. W. Smith, Peter Poole, J. C. Has-singer.

Noes: None.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 2nd day of March, 1906.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 2d day of March, 1906.

THOMAS D. WOOD,
Mayor of Said City.

The foregoing ordinance is hereby approved this 3d day of March, 1906.

THOMAS D. WOOD,
Mayor of Said City.

CHAPTER II

Municipal Licenses

ORDINANCE NO. 422.

An Ordinance to Prohibit Exhibitions of Instrumental Music, Singing and Dancing and Acrobatic Exhibitions in Saloons, Bar-Rooms and Restaurants in the City of Santa Barbara, to Provide a Punishment for the Violation Hereof and to Provide for the Revocation of Liquor Licenses as a Penalty for the Violation Hereof.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. It shall be unlawful for any person owning or in the control or management of any saloon, bar-room or restaurant in the City of Santa Barbara to hold, allow or permit therein any exhibition of singing or dancing, or any acrobatic exhibition, or any exhibition of instrumental music (other than music produced by exclusively mechanical means), whether an admission fee be charged or not.

Sec. 2. Any person violating the provisions of this ordinance shall, upon conviction, be punishable by a fine of not less than twenty dollars and not more than one hundred dollars or by imprisonment in the city jail not exceeding ten days or by both such fine and imprisonment.

Sec. 3. This Council may in its discretion revoke the liquor license whether restaurant or retail liquor license or

both held by any restaurant, saloon or bar-room, or the proprietor or proprietors thereof, which proprietor or manager or person in control thereof has been convicted of a violation of the provisions of this ordinance.

Sec. 4. This ordinance after its passage and approval shall be published once in The Independent, a daily newspaper of general circulation, printed and circulated in said city, and shall take effect immediately upon such publication.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 4th day of December, 1902, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, C. E. Lataillade, Wm. Ealand, J. Will Smith, Geo. Rutherford, F. F. Pierce.

Noes: None.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 5th day of December, 1902.

[Seal]

ALFRED DAVIS,
City Clerk of said City.

Received by me this 5th day of December, 1902.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 5th day of December, 1902.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 427.

An Ordinance to Repeal Ordinance No. 259 of the City of Santa Barbara, and to Prohibit the Sale, Giving Away or Furnishing of Intoxicating Liquors at Any Place

Within 480 Feet of the Center Line of the Ocean Boulevard of Said City, and the Center Line of the Eastern Extension Thereof.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. It shall be unlawful for any person to sell, furnish or give away any spirituous, vinous, malt or mixed intoxicating liquors at any place in said city within 480 feet of the center line of the Ocean Boulevard in said city, or within 480 feet of the center line of the eastern extension of said Ocean Boulevard; provided, however, that nothing herein shall be construed so as to deprive the holder of any license for sale of liquors within said prohibited limits, heretofore issued, and heretofore actually used within said limits, of the right of sale or furnishing of liquors in the building now used under such license, at times not prohibited by law or ordinance and under such license.

Sec. 2. Any person who shall violate the provisions of this ordinance, whether as principal, agent, servant or employe, shall, upon conviction thereof, be punishable by fine of not less than fifty dollars nor more than two hundred dollars, or by imprisonment in the city jail not exceeding ten days, or by both such fine and imprisonment.

Sec. 3. If any person holding a liquor license of the City of Santa Barbara shall hereafter be convicted of the violation of the provisions of this ordinance, or if any servant or employe who is employed in such business of such holder of license shall be convicted of a violation of the provisions of this ordinance, such license shall be forfeited, and upon the filing of a certified copy of such judgment of conviction with the city tax collector, it shall be his duty to issue no further license to such holder of such license so forfeited.

Sec. 4. Ordinance number 259 of the City of Santa Barbara, passed March 16th, 1893, is hereby repealed.

And it is hereby ordered that, after its passage and approval, this ordinance shall be published once in The Morning Press, a daily newspaper of general circulation

take effect and be in force immediately after its passage, approval and first publication.
printed, published and circulated in said city, and shall

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 5th day of February, 1903, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, C. E. Lataillade, Wm. Ealand, J. Will Smith, H. L. Stambach, F. F. Pierce.

Noes: None.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 6th day of February, 1903.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 6th day of February, 1903.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 6th day of February, 1903.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 463.

An Ordinance to Impose, Establish and Regulate Licenses for the Sale and Furnishing of Intoxicating Liquor in the City of Santa Barbara; and to Regulate and Authorize the Transfer, Issuance and Revocation Thereof.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. Every person, firm or corporation who sells or furnishes within said city any intoxicating liquors or liquor shall procure from said city a municipal license therefor and shall pay a license tax therefor. Provided,

however, that a druggist regularly engaged in business as such may, without license, furnish intoxicating liquor upon prescription in writing of a regularly licensed physician given for medicinal purposes only, provided that such liquor so furnished shall not be sold by the glass or delivered in that form.

Sec. 2. The liquor license taxes of said city are hereby established and classified as follows:

1. For hotel liquor licenses the sum of \$10 per quarter of three months.

2. For restaurant liquor licenses the sum of \$25 per quarter of three months.

3. For saloon liquor licenses, the sum of \$75 per quarter of three months.

Sec. 3. A hotel liquor license shall only authorize the holder thereof to furnish at any time, at such hotel, to regular guests of such hotel intoxicating liquor at the same time and in connection with a bona fide meal actually purchased in and of such hotel and costing exclusive of the liquor so furnished not less than twenty-five cents.

Sec. 4. A restaurant liquor license shall only authorize the holder thereof to furnish at any time at such restaurant malt or vinous liquors to a person who has at the same time actually purchased in and of such restaurant a bona fide meal costing exclusive of the liquor so furnished not less than fifteen cents, and under such restaurant liquor license it shall not be lawful for any liquor whatsoever to be furnished by the glass or in quantity less than one pint for one customer.

Sec. 5. A saloon liquor license shall only authorize the holder thereof to serve or furnish on any day of the week except Sunday and at any time except between the hours of twelve o'clock midnight and six o'clock of the forenoon next succeeding, intoxicating liquor at and in the place of business designated in such saloon license.

Sec. 6. No restaurant liquor license shall be granted to be run in connection with a saloon liquor license or shall be operated in connection with a saloon liquor license.

Sec. 7. Any and all liquor furnished under a license must be furnished at and in a certain, definite and speci-

fied place of business or location in said city and no license shall authorize a transitory furnishing of liquor or a furnishing of liquors at two or more places of business in said city.

Sec. 8. For the purposes of this ordinance a restaurant is defined to be a place fully equipped with modern conveniences for cooking and preparing victuals, and where hot meals are actually served at least three times a day and at least six days in the week, and a bona fide meal is defined to be a meal consisting of such quantity and quality of food as is ordinarily served for a meal in hotels and restaurants; merely sandwiches, or lunches, or cheese and crackers, or dishes of food used as a subterfuge for evading the provisions of this or other ordinance of said city shall not be held or considered to be such bona fide meal.

Sec. 9. The name of the holder of each liquor license shall be specified and set forth therein; where such license is held by a co-partnership the names of all the members of the partnership must be set forth and specified therein; the words "and company" or similar term are not permissible; where a license is held by a corporation such corporation must be a de jure corporation and if it be not incorporated under the laws of the state of California, a certified copy of its articles of incorporation must be filed with the city tax collector before he shall have power to issue to it a license.

Sec. 10. A hotel to be licensed or to retain a hotel liquor license hereunder shall have not less than ten rooms with beds for the regular accommodation therein of guests, shall keep a register of its guests and shall keep and maintain a regular dining room where hot meals are regularly served not less than three times a day and seven days in the week from food prepared on the premises.

Sec. 11. The Council shall have no power to issue, nor the tax collector to make out and deliver, any saloon liquor license if the saloon license so sought to be issued together with the ones then issued and in force exceed twenty-five in number; provided however that upon the taking effect of this ordinance the persons, firms or corporations now holding saloon liquor licenses in and of said city shall be entitled without petition to the Council to have the same re-

newed under this ordinance, subject to the provisions hereinafter contained for transfer and revocation. Nothing in this ordinance contained shall estop said city or Council from revoking any liquor license pursuant to the provisions of this ordinance. Those now holding restaurant liquor licenses of said city shall not be entitled of right to have the same renewed upon the taking effect of this ordinance but may petition the Council for renewal of such restaurant liquor license or for issuance of a hotel liquor license under this ordinance and the decision of the council granting or refusing such petition shall be final and conclusive.

Sec. 12. All liquor licenses hereafter issued shall be issued only after a petition therefor shall have been filed with the clerk of said Council at least one week prior to action thereupon by said Council. Said petition shall state the name of the person desiring such license or the name of the corporation desiring such license or the names of all the partners if a co-partnership desire such license; it shall also state the street and street number in said city where the business is to be carried on, the class of liquor license desired and the day and hour of the meeting of the Council at which application for such license will be made to said Council. Said petition shall not be acted upon by said Council unless it shall first have been published for not less than six insertions in some daily newspaper of general circulation published in said city. At the meeting of the Council at which such petition may entitle him to be heard the applicant therefor shall personally appear and apply for the license described in said petition. Final action on such petition must be taken within not more than two weeks from such appearance, but said Council may adjourn the hearing of said petition from time to time within said two weeks. Said Council may if it desire hear evidence on said petition, and may either grant or reject said petition; if the same be rejected by said Council its action thereon shall be final and conclusive and not subject to review, provided, however, that the applicant may petition anew for the same or a different license if he so desires. If such petition be granted the tax collector may issue to such applicant a license in accordance with such petition, and thereafter renew the same for not longer than from quarter to quarter without further action by the Council, but subject to revocation of such license by the Council as hereinafter provided.

The foregoing provisions of this section shall also apply to the transfer of licenses from one person to another and to the change of location of the place of business operated under liquor license and no transfer of a liquor license or change of the location of the place of business operated thereunder shall be valid or binding on said city or any officer thereof unless consent thereto shall first have been obtained by a petition and proceedings conforming to the foregoing provisions of this section.

Sec. 13. The provisions of section 2 and 3 of ordinance No. 342 of said city are hereby specifically recognized and adopted as parts of, and not in conflict with this ordinance.

Sec. 14. Any liquor license now or hereafter issued by said city may be revoked by the Council whenever it appears to said Council after an investigation under the provisions hereof (a) that the place where said license is operated is carried on in a disorderly manner, (b) or that such place is a nuisance, (c) or that such place is a resort of criminal or disorderly persons, (d) or that any person running, employed in or managing such place of business is in the habit of practicing any criminal or disorderly acts, (e) or whenever the proprietor of such place or holder of such license or any of his servants or employes regularly employed in or about such business shall have been twice convicted of the violation of any of the provisions of this ordinance or any ordinance of said city (passed since March 1, 1904,) regulating the sale or furnishing, or manner of sale or furnishing of liquor therein, or the hours of closing such place or the persons permitted to enter or be in such place during certain hours, or any ordinance of said city excluding the sale or furnishing of liquor from within certain districts or limits of said city. This, however, shall not be construed to mean that the same individual shall have been twice convicted.

A petition for such revocation shall be signed by an elective officer or officers of said city or by the chief of police of said city.

Upon the filing of such petition the Council shall appoint a time and place for the hearing thereof which must be at a meeting of said Council, either regular or special, and shall be at its regular place of meeting and shall be held in public and not less than one week from the presentation of such petition to said Council. Said Council may,

however, go into executive session after the evidence on said petition shall have been closed and for the purpose of deliberating on said petition. Said hearing may be adjourned from time to time but said petition must be acted upon and said license revoked or said petition denied within not more than one month after the filing of such petition. Denial of such petition shall not be construed to be a bar to the consideration of any subsequent petition containing all or part of the charges contained in a petition previously denied, or to the subsequent consideration by the Council of evidence relevant to the charge or any charge in a petition previously denied.

A petition filed hereunder shall state one or more or all of the grounds hereinbefore specified as grounds for the revocation of a license. A ground may be stated in the language of this ordinance and the rules of pleading and procedure in either civil or criminal actions shall not be held to apply to the statement of such charges or any of them.

A copy of such petition shall be served not less than two days before the time appointed for hearing the same, such service to be made either by a personal delivery of such copy to the holder or one of the holders of the license sought to be revoked or by delivery of such copy to any person or persons in charge of the place of business run under said license.

At the time appointed for such hearing or at such time to which it may be adjourned said Council shall hear such evidence, either oral or written, as may be produced thereat, and may regulate the order of proof and the introduction of evidence and exclude irrelevant, immaterial or incompetent testimony or testimony merely cumulative or hearsay. Mere informalities or the introduction of evidence not relevant, competent or material shall not invalidate any revocation of a license, and the action of the Council on such petition shall be final and conclusive, and it shall not be necessary for said Council to find that all of the charges in such petition are sustained.

The action of such Council on said petition shall be manifested by resolution of said Council spread upon its minutes, and if such resolution state that the license described therein be revoked such revocation shall take effect forthwith without further notice to the holder of such license and the clerk shall immediately notify the tax col-

lector of the passage of such resolution. Absence of the holder of any such license from any meeting of said Council at which its revocation may be considered or effected shall not invalidate the revocation thereof.

Sec. 15. Transfer of a liquor license or change of its location, without permission of the Council, shall ipso facto, without notice to the holder thereof, entitle the Council to pass a resolution revoking and to revoke the same, without petition for such revocation.

It shall not be mandatory upon the Council to grant any application for the issuance or transfer of any liquor license.

Sec. 16. The sections hereof providing for the revocation of licenses shall be construed liberally so as to uphold and reserve the power of said city to regulate liquor licenses issued thereby.

Sec. 17. All parts of ordinances in conflict herewith are hereby repealed and it is hereby ordered that this ordinance be published once in The Morning Press, a daily newspaper of general circulation printed and circulated in said city and that it take effect immediately on its passage, approval and first publication. No existing liquor license of said city shall be renewed prior to April 1, 1904.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara and was finally passed this 17th day of March, 1904, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, E. G. Dodge, J. W. Smith, Peter Poole, F. F. Pierce.

Noes: None.

Absent: Councilman C. E. Lataillade.

It is hereby presented to the Mayor of said city for his approval on this 18th day of March, 1904.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 18th day of March, 1904.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby returned without approval this 25th day of March, 1904.

GEO. S. EDWARDS,
Mayor of said City.

Office of the City Clerk of Santa Barbara, California,
March 31, 1904.

I hereby certify that the foregoing ordinance was duly presented to George S. Edwards, mayor of said city, for his approval; and was by him, within ten days after such presentation, Sundays excluded, returned to me as the clerk of said Council, for said Council, disapproved, with his objections thereto; and that at the next meeting of said Council, to-wit: on March 31st, 1904, said Council did cause the objections of said Mayor to be entered on the journal of said Council, and did then and there proceed to reconsider and vote on said ordinance, and did thereupon pass the same by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, C. E. Latallade, E. G. Dodge, J. W. Smith, Peter Poole, F. F. Pierce.

Noes: None.

Absent: None.

Wherefore I make this certificate and cause the said ordinance to be published in the newspaper therein designated.

Witness my hand and the corporate seal of said city.

[Seal]

ALFRED DAVIS,
City Clerk and ex-officio Clerk of the Council of said City.

ORDINANCE NO. 464.

An Ordinance to Regulate the Sale, Furnishing and Giving Away of Intoxicating Liquor Within the City of Santa Barbara, California, to Regulate the Conduct of Places Where Such Liquor May Be Sold or Furnished and the Manner of Sale or Furnishing and to Provide Penalties for the Violation Hereof.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. The word "person" as used in this ordinance shall apply to and include all persons, firms and corporations.

The word "furnish" as used herein includes all methods or means by which the title, possession, use or right or opportunity to use, intoxicating liquor passes from one person to another.

Sec. 2. Violation of any of the provisions of this ordinance shall be a misdemeanor and the person found guilty of any such violation, whether as principal, agent, servant or employee, shall be punished by a fine of not less than fifty dollars nor more than two hundred and fifty dollars, or by imprisonment in the city jail not less than one day nor more than ten days, or by both such fine and imprisonment.

Section 3. Nothing herein contained shall prevent or preclude the revocation of any license issued by said city, nor shall a conviction of any person for the violation of any of the provisions hereof be held or construed to be a bar to the revocation of any license, now or hereafter issued by said city.

Sec. 4. No person shall in said city at any time on Sunday, the first day of the week, or at any time on any day between twelve o'clock midnight and six o'clock of the forenoon next succeeding, sell, furnish or give away to any other person any spirituous, malt, vinous or mixed intoxicating liquors in any saloon or bar-room licensed by said city, or in any yard, hallway, premises or room connected with such saloon or bar-room.

Sec. 5. No person shall keep open any bar-room of any saloon licensed by said city on Sunday, the first day of the week, or on any day at any time between twelve o'clock midnight and six o'clock of the forenoon next succeeding.

Sec. 6. No person in charge or control of any bar-room of any licensed saloon in said city shall permit any person, other than the proprietors or their servant or servants or employee or employees regularly engaged in and about such bar-room, to enter said bar-room on Sunday, the first

day of the week, or at any time on any day between twelve o'clock midnight and six o'clock of the forenoon next succeeding.

Sec. 7. No person in charge or control of any bar-room of any licensed saloon of said city shall permit any person other than a proprietor or proprietors of such bar-room or his or their servant, servants, employee or employees regularly engaged in and about such bar-room, to be or remain in such bar-room at any time on Sunday, the first day of the week, or at any time on any day between twelve o'clock midnight and six o'clock of the forenoon next succeeding.

Sec. 8. No person shall at any time in said city engage in or work at the business of selling or furnishing intoxicating liquor or liquors of any kind without first being authorized thereto by a license from said city authorizing such sale or furnishing.

Sec. 9. No person shall at any time in said city sell or exchange for value any malt, vinous, spirituous or mixed intoxicating liquor or liquors without having a license from said city authorizing such sale or exchange.

Sec. 10. No person shall in said city at any time sell, furnish or give away any intoxicating liquor or liquors, at any restaurant, saloon, bar-room, sample room, tippling house, grocery, drug store or place of business, without being thereto authorized by a liquor license of said city.

Sec. 11. The provisions of sections 8, 9 and 10 hereof shall not apply to the furnishing of intoxicating liquor by druggists regularly engaged in business as such, upon prescription in writing of a regularly licensed physician given for medicinal purposes only. Liquor furnished under this section shall not be sold by the glass or delivered in that form.

Sec. 12. No person shall, in any restaurant licensed by said city for sale of liquor, or in any yard, hallway, place or room connected with such restaurant or used in connection with such restaurant business sell, furnish or give away to any person, intoxicating liquors by the glass or in quantity less than one pint for one customer, or any spirituous or mixed intoxicating liquors whatsoever.

Sec. 13. No person shall in any restaurant, licensed by said city for sale of liquor, or in any yard, hallway, place or room connected with such restaurant or used in connection therewith, at any time sell, furnish or give away any vinous or malt intoxicating liquor to any person who has not at the same time actually purchased in and of such restaurant a bona fide meal costing, exclusive of the liquor so furnished, not less than fifteen cents. A bona fide meal is defined hereby to be a meal consisting of such quantity and quality of food as is ordinarily served for a meal in hotels or restaurants; merely sandwiches, or lunches, or cheese and crackers, or dishes of food used as a subterfuge for evading the provisions of this section shall not be held or considered to be a bona fide meal within the provisions of this ordinance.

Sec. 14. No person shall in any hotel of said city for which a hotel liquor license has been issued and is in force, sell, furnish or give away any intoxicating liquor whatsoever to any person other than to a regular guest of such hotel, and at the same time and in connection with a bona fide meal actually purchased in and of said hotel and costing, exclusive of the liquor so furnished, not less than twenty-five cents. The definition of a bona fide meal given in section 13 hereof shall be construed as a part of this section.

Provided, however, that in hotels, the proprietor or proprietors of which shall hold a saloon liquor license of said city, intoxicating liquors may be served in any portion of said hotel and under such saloon license, on any day of the week excepting Sunday, and excepting between the hours of midnight and six o'clock of the forenoon next succeeding.

Sec. 15. Ordinance No. 394 of said city and all portions of ordinances of said city in conflict herewith are hereby repealed, excepting the ordinances of said city which exclude the sale or furnishing of intoxicating liquor from certain districts, or from within certain limits.

Sec. 16. This ordinance, after its passage and approval, shall be published once in The Morning Press, a daily newspaper printed, published and circulated in said city, and shall take effect and be in force immediately upon such passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara and was finally passed this 17th day of March, 1904, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, E. G. Lodge, J. W. Smith, Peter Poole, F. F. Pierce.

Noes: None.

Absent: Councilman C. E. Lataillade.

It is hereby presented to the Mayor of said city for his approval on this 18th day of March, 1904.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 18th day of March, 1904.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby returned without approval this 25th day of March, 1904.

GEO. S. EDWARDS,
Mayor of said City.

Office of the City Clerk of Santa Barbara, California,
March 31, 1904.

I hereby certify that the foregoing ordinance was duly presented to George S. Edwards, mayor of said city, for his approval; and was by him, within ten days after such presentation, Sundays excluded, returned to me as the clerk of said Council, for said Council, disapproved, with his objections thereto; and that at the next meeting of said Council, to wit: on March 31st, 1904, said Council did cause the objections of said Mayor to be entered on the journal of said Council, and did then and there proceed to reconsider and vote on said ordinance, and did thereupon pass the same by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, C. E. Lataillade, E. G. Dodge, J. W. Smith, Peter Poole, F. F. Pierce.

Noes: None.

Absent: None.

Wherefore I make this certificate and cause the said ordinance to be published in the said newspaper therein designated.

Witness my hand and the corporate seal of said city.

[Seal]

ALFRED DAVIS,
City Clerk and ex-officio Clerk of the Council of said City.

ORDINANCE NO. 499.

An Ordinance to Impose a License Tax Upon the Business of Itinerant Vendors of Drugs, Spectacles, Eyeglasses, Nostrums, Ointments or Appliances Sold for the Treatment of Disease, Injuries, Defective Eyesight, or Deformities; and to Prescribe a Penalty for the Violation Hereof.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. No person shall, in said city, as principal, agent, servant or employee, conduct or carry on as an itinerant vendor the business of selling spectacles, eye-glasses, drugs, nostrums, ointments, or any appliances for the treatment of disease, injuries, defective eyesight, or deformities, without first obtaining therefor a license from said city, which license is hereby designated as "an itinerant vendor's license."

Sec. 2. A license fee or tax of ten dollars (\$10.00) per day for each day or portion of day such itinerant vendor carries on his business in said city is hereby levied and imposed upon each of such itinerant vendors who may now or hereafter do business in said city. The city tax collector is authorized to collect and receipt for said license fee and tax and he shall issue to each person paying such license fee or tax a receipt, countersigned by the city auditor, which receipt shall specify the day or days and month and year for which the license tax represented by such receipt shall have been paid. The tax collector shall keep in his office an accurate record of all such payments, which said record shall be an official record of said city.

Section 3. The term "itinerant vendor," as used in this ordinance, shall include all persons who carry on the business of selling spectacles or eyeglasses or nostrums or ointments or drugs, or any appliance or appliances for the treatment of disease or injuries or defective eyesight or deformities, and so carry on such business by passing or soliciting from house to house, or in a public street, or by haranguing crowds, people or bystanders in a public street

or public place, or place accessible to the public, or by using music or entertainment or any performance, lecture or public harangue for attracting persons to whom any such glasses, drugs, nostrums, ointments or appliances may be sold or recommended. The leaving of any of the wares mentioned in section 1 hereof on approval, or to be paid for subsequently on any condition or conditions; or the charging of an admission fee, or the giving or gratuitous delivery of any of the wares mentioned in section 1 hereof to a person or persons who may purchase from such itinerant vendor or vendors a ticket, consultation, opinion, examination, or articles of merchandise (other than articles included within those mentioned in section 1 hereof), or any scheme, trick or device for evading the provisions of this ordinance, shall not be held to exempt an itinerant vendor from the provisions of this ordinance if otherwise he carries on such business in the manner described in section 3 hereof.

Sec. 4. Violation of the provisions of this ordinance shall be a misdemeanor, and shall be punishable by a fine of not less than \$25.00 nor more than \$100.00, or by imprisonment in the city jail not less than one nor more than ten days, or by both such fine and imprisonment.

Sec. 5. This ordinance after its passage and approval, shall be published once in The Morning Press, a daily newspaper of general circulation printed, published and circulated in said city, and shall take effect immediately on its passage, approval and publication as aforesaid.

Nothing herein contained shall preclude, prevent or bar the collection of said license tax by said city by suit in a court of competent jurisdiction, nor shall prosecution or punishment hereunder operate as a bar to such suit or collection; but the power to maintain such suit is hereby confirmed and reserved.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this second day of March, 1905, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, C. E. Lataillade, E. G. Dodge, J. Will Smith, Peter Poole and F. F. Pierce.

Noes: None.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 2nd day of March, 1905.

[Seal]

ALFRED DAVIS,
City Clerk of said City.

Received by me this 2nd day of March, 1905.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 2nd day of March, 1905.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 511.

An Ordinance to Provide for and Determine the Forfeiture and Revocation of Liquor Licenses Issued by the City of Santa Barbara.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. Should any person in said city hereafter be convicted of the violation on or after July 1, 1905, of any ordinance of said city now or hereafter in force, regulating the running, conducting, or keeping open of, or sale or furnishing of intoxicating liquor in any saloon, bar-room, drinking place, restaurant or hotel and any and all liquor licenses issued by said city authorizing the sale or furnishing of intoxicating liquor at or in such saloon, bar-room, drinking place, restaurant or hotel shall by such conviction immediately be and become forfeited, and subject to the provisions of the succeeding sections of this ordinance.

Sec. 2. A forfeiture shall occur as provided in section 1 hereof, when the license so forfeited is held wholly or partly in the name of the person so convicted or is held by some person, firm or corporation for whom the person so convicted was at the time of the commission of the offense for which he was so convicted an agent, servant or employee.

Sec. 3. Between the taking effect of this ordinance and June 30, 1905, the tax collector of said city shall have no power to issue any liquor license of said city to extend beyond June 30, 1905.

Sec. 4. Every liquor license issued by this city is hereby declared by this ordinance to be held subject to the provisions of this ordinance as well as those of the ordinance or ordinances under which such license may be issued.

Sec. 5. Nothing herein shall preclude the imposition of a sentence of fine and imprisonment, or fine or imprisonment, for the violation of any penal ordinance of this city.

Sec. 6. Upon any conviction being had which forfeits a license or licenses hereunder, it is hereby made the duty of the chief of police to file with the Council of said city, within five days from the date of said conviction, a certified copy of the record of such conviction; whereupon the Council at its next regular meeting after such filing, must revoke the license or licenses affected by such conviction, and thereafter no rights shall accrue or be enjoyable under such license. In case of the absence of the chief of police from said city, during said five days, or his neglect, failure or inability to so act within said five days, any taxpayer of said city may at any time thereafter file such certified copy with said Council, and it shall thereupon have the same force and effect as though the chief of police had filed the same. Should the Council fail, neglect or refuse to so revoke such license or licenses, the Mayor or acting Mayor must, immediately upon adjournment of such regular meeting, file a written declaration with the city clerk, revoking such license or licenses, and thereupon the same shall stand revoked.

Sec. 7. This ordinance shall not preclude the Council from revoking any license in the manner or for the causes now or hereafter prescribed by ordinance.

Sec. 8. On the revocation of a license, the holder thereof shall be entitled to receive a rebate of the license tax paid by him for the term of such license succeeding its cancellation as aforesaid.

Sec. 9. After its passage and approval, this ordinance shall be published once in The Morning Press, a daily

newspaper of general circulation printed, published and circulated in the City of Santa Barbara, and shall take effect and be in force immediately upon its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 15th day of June, 1905, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, E. G. Dodge, J. Will Smith, Peter Poole, F. F. Pierce.

In negative: C. E. Lataillade.

Absent: Councilman N. D. Smith.

It is hereby presented to the Mayor of said city for his approval on this 16th day of June, 1905.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 16th day of June, 1905.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 16th day of June, 1905.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 525,

Amended by No. 542.

An Ordinance to Provide for Licensing and Regulating the Doing of Certain Acts and the Carrying on of Certain Professions, Trades, Callings and Occupations Within the Corporate Limits of the City of Santa Barbara, California, and to Prescribe Penalties for Violation Hereof.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. It shall be unlawful for any person, whether as principal or agent, clerk or employee, either for him-

self or any other person, or for any body corporate, or otherwise, or any officer of any corporation, to commence or carry on any trade, calling, profession, or occupation in this ordinance specified, without first having procured a license from said city so to do, and each and every day or fractional part of a day that said trade, calling, profession or occupation in this ordinance specified is conducted or carried on without such license, shall constitute a violation of this ordinance, and any person who shall violate any of the provisions of this ordinance or who shall for himself or for any other person or persons, or for any body corporate, or otherwise, commence or carry on any trade, calling, profession or occupation aforesaid without having first procured such license, shall, for each violation of this ordinance, be deemed guilty of a misdemeanor, and, upon conviction by any court having jurisdiction thereof, shall be fined therefor in a sum not exceeding two hundred dollars (\$200.00), or be imprisoned for a term not exceeding thirty (30) days, or shall suffer both such fine and imprisonment in the discretion of the court, and the amount of such license shall be deemed a debt to said City of Santa Barbara, and such person shall be liable to an action in the name of the City of Santa Barbara, in any court of competent jurisdiction, for the amount of the license of such trade, calling, profession or occupation, as he shall or they may be engaged in, with costs of suit.

Provided, however, that arrest and conviction hereunder shall not be construed as a waiver of the right of said city to bring such civil action, nor shall the bringing of such civil action release the defendant therein, or any other person, from such criminal prosecution.

Sec. 2. It shall be the duty of the city clerk to prepare and issue a license under this ordinance for every person, firm or corporation liable to pay a license hereunder. Each license shall state the amount thereof, the period of time covered thereby, the name of the person, firm or corporation for whom issued, the trade, calling, profession or occupation licensed, and the location of the place of business where such trade, calling, profession or occupation is to be carried on. Said city clerk shall sign and deliver the same to the city tax collector for collection and take his receipt for the amount thereof.

In no case shall any mistake by the city clerk or tax collector in stating the amount of a license prevent or

prejudice the collection for the city of what shall be actually due from anyone carrying on a trade, calling, profession or occupation subject to license under this ordinance.

Sec. 3. All licenses shall be paid in advance in the legal currency of the United States, at the office of the city tax and license collector. A separate license must be obtained for each branch establishment or separate place of business in which the trade, calling, profession or occupation is carried on, and each license shall authorize the party obtaining it to carry on, pursue, or conduct only that trade, calling, profession or occupation described in such license, and only at the location or place of business which is indicated thereby.

The monthly licenses in this ordinance provided shall be due and payable to the city on the first of each month, in advance, from all persons who have for the previous month been licensed to carry on the same trade, calling, profession or occupation, and from all persons who have not been licensed for the previous month for the same trade, calling, profession or occupation the license shall be due and payable and must be procured by such persons before commencing to carry on such trade, calling, profession or occupation.

The quarterly licenses in this ordinance provided shall be due and payable to the city on the first days of January, April, July and October, and all such licenses shall expire with the last days of March, June, September and December of each year, but the first quarterly license issued to any person, as herein provided, shall be issued for the unexpired one-third or two-thirds of the current quarter.

The weekly licenses in this ordinance provided shall be due and payable to the city on the Monday of each week in advance.

The daily licenses in this ordinance provided shall be due and payable to the city each day in advance.

The annual licenses in this ordinance provided shall be due and payable to the city at the times specified herein respectively, or when not so specified, on the first day of December of each year.

No greater or less amounts of money shall be charged or received for any licenses than are provided in this ordinance, and no license shall be sold or issued for any period of time other than is provided in this ordinance.

Sec. 4. Every person, firm or corporation having a license under the provisions of this ordinance, and carrying on a trade, calling, profession or occupation at a particular place of business, shall keep such license posted and exhibited, while in force, in some conspicuous part of said place of business. Every peddler of goods, wares or merchandise shall carry his license with him at all times while engaged in peddling. Every person driving or having control of any vehicle which is required by this ordinance to be designated by a number shall procure from the city tax collector a tag or plate bearing said number, which shall at all times be attached to and carried on said vehicle in such a manner that said number shall be plainly legible whether said vehicle be in motion or not, excepting that in the case of such vehicles as are also required by this ordinance to carry a lamp, or lamps, the number furnished therefor by the city tax collector as hereinafter provided, shall be painted with black paint in plain figures at least two inches in length upon each of said lamps in such a manner that it may be plainly visible whether the vehicle be in motion or not.

All persons, firms or corporations having a license shall produce or exhibit the same when applying for a renewal and whenever requested to do so by any police officer or by any officer authorized to issue, inspect or collect licenses.

Sec. 5. The tax collector and all license inspectors or collectors in the discharge and performance of their official duties, and all regular police officers, shall have and exercise the power: First, To make arrests for the violation of any of the provisions of this ordinance; Second, To enter, free of charge, at any time, any place of business for which a license is required and provided, and to demand the exhibition of such license for the current term from any person engaged or employed in the transaction of such business; and if such person shall then and there fail to exhibit such license, such person shall be liable to the penalty provided in Section 1 of this ordinance.

It is hereby made the duty of the license collector to cause complaints to be filed against all persons violating any of the provisions of this ordinance.

Sec. 6. In all cases where the amount of license to be paid by any person is based upon the amount of receipts or sales received or effected, or business transacted, such person, firm or corporation shall render a sworn statement,

in writing, to the city tax collector, made before some officer authorized to administer an oath, of the total amount of receipts or sales received or made, or business done by said person, firm or corporation, respectively, during the license period next preceding the date of the issuance of the last license, which statement shall determine the amount for which said license shall be issued or renewed.

Sec. 7. Whenever the receipts for any exhibition, concert, lecture, or entertainment are to be or will be appropriated to any church or school, or to any religious or benevolent purpose, within the City of Santa Barbara, there shall be no license charge to the person or persons about to conduct the same; provided, however, that such exemption must be made by resolution of said Council after application therefor.

Sec. 8. The conviction and punishment of any person for transacting any trade, calling, profession or occupation without a license shall not excuse or exempt such person from the payment of any license due or unpaid at the time of such conviction, and nothing herein contained shall prevent a criminal prosecution for any violation of the provisions of this ordinance.

Sec. 9. All police officers are hereby appointed assistant inspectors of licenses; and in addition to their several duties as police officers, are hereby required to examine all places of business and persons in their respective beats liable to pay a license, and to see that such licenses are taken out.

Said police officers as such assistant inspectors of licenses shall make out once a month a list of persons, firms and corporations carrying on business within their respective beats and having no license, with their addresses, and deliver such list, carefully and legibly written, to the city tax collector, and also report to the city tax collector the names of all such doing business without a license immediately upon the fact coming to their knowledge.

Any police officer wilfully failing or neglecting, for more than ten (10) days, to report any person, firm or corporation who or which is engaged in carrying on business without having the required license, shall be guilty of neglect of duty and be either suspended from duty or dismissed from the police force.

The chief of police is hereby directed to carry into effect the provisions of this section.

Sec. 10. The city tax collector and license collector of said city, shall, on or before the first Monday of January, April, July and October, deliver to the city clerk the delinquent list of licenses uncollected by him for the previous quarter, and also a list of all persons whom he believes not to be upon the license list and who should be charged with the payment of license, and he shall pay over quarterly to the city treasurer all licenses collected by him in said quarter and report the amount thereof to the Council, together with the amount delinquent, at the first meeting of the Council in each quarter.

It shall be the duty of the city clerk, immediately after the delinquent list has been delivered to him, to make an entry of the delinquent licenses and the amount thereof, and to deliver the same back to the city tax and license collector, whose duty it shall be to at once proceed to collect the same in his discretion, by suit or otherwise.

Sec. 11. The rates of licenses for the professions, trades, callings and occupations hereinafter named shall be and the same are hereby fixed and established for and within the City of Santa Barbara according to the following schedule, and the same shall be paid by all persons, firms or corporations engaged in such professions, callings, trades and occupations, as follows, to wit (the word "person" used in succeeding sections herein being understood to mean and apply to persons, firms and corporations):

Sec. 12. For every person carrying on the business of auctioneer, a license tax of five dollars (\$5.00) per day shall be paid in advance for each day or part of day upon which he holds an auction, provided that if such auction continues one or more days immediately succeeding, the rate of license tax for each of such additional days shall be two dollars and one-half (\$2.50).

Sec. 13. For every person running any vehicle used for the carriage of passengers for hire (other than a street car) three dollars (\$3.00) per quarter shall be charged for each of such vehicles, provided that each of such vehicles shall be designated by a number to be furnished by the said city tax collector, as hereinabove provided, and shall carry at

least two lamps, with the number of said vehicle painted thereon in opaque figures plainly visible as provided in Section 4 hereof.

Sec. 14. For every person carrying on the business of a theater fifteen dollars (\$15.00) per quarter, provided, however that no theater license shall be issued without application first made to the Council of said city and approved by said Council, which application shall not be approved unless the theater for which such application is made shall comply in all respects to the ordinance of said city for the protection of public health and safety; and provided, further, that the Council may without notice revoke any theater license at any time when it appears to said Council that the place wherein the theater is carried on is dangerous to public health or safety.

Sec. 15. Solicitors at any train, depot or steamer, for any hotel or boarding house shall each pay a license tax of six dollars (\$6.00) per quarter for each such hotel or boarding house so represented, and each such hotel or boarding house shall be furnished by the tax collector with a number, which shall be worn by each person so soliciting, during all times of such soliciting, and shall be at such times conspicuously displayed by him.

Sec. 16. For every person conducting, managing or carrying on a circus charging an admission fee of fifty cents (\$.50) or more, seventy-five dollars (\$75.00) for each performance of such circus.

Sec. 17. For every person conducting, managing or carrying on a circus charging an admission fee of less than fifty cents (\$.50), fifty dollars (\$50.00) for each performance of such circus.

Sec. 18. For every person conducting, managing or carrying on a sideshow or aftershow to a circus when a separate admission fee is charged, ten dollars (\$10.00) per day for each of such sideshows or aftershows.

Sec. 19. For every public entertainment to which an admission fee is charged (other than those described in Sections 16, 17 and 18 hereof, and other than those given in a licensed theater, except such exhibitions given in the open air), a license fee of ten dollars (\$10.00) per day.

Sec. 20. All persons peddling goods, wares, or merchandise from house to house or in a public street, except those goods and ware hereinafter specifically excepted, shall pay a license tax of ten dollars (\$10.00) per day.

Sec. 21. All persons peddling fruit and table vegetables are hereby specifically excepted.

Sec. 22. Ordinance No. 499 of said City of Santa Barbara is not hereby repealed, nor any portion thereof, but is specifically continued in force.

Sec. 23. For every person carrying on the business of advertising by means of stereopticon, biograph, moving-picture machine, or any similar device, five dollars (\$5.00) per month.

Sec. 24. For every person conducting, managing or carrying on for hire a billiard, bagatelle or pool table (excepting only such as are used in private residences or in a place of business holding a retail saloon liquor license), three dollars (\$3.00) per quarter for each table, whether such table is in use or not.

Sec. 25. For every person carrying on the business of book, periodical or magazine agent, one dollar (\$1.00) per day.

Sec. 26. For every person conducting, managing or carrying on a boxing contest or sparring exhibition, twenty dollars (\$20.00) per exhibition.

Sec. 27. For every person carrying on the business of or conducting or managing a wrestling contest, five dollars (\$5.00) for each contest.

Sec. 28. For every person conducting, managing or carrying on a watch, jewelry or clothing club, five dollars (\$5.00) per quarter. . .

Sec. 29. For every person who carries on, professes to practice, or practices, the business or art of astrology, palmistry, phrenology, life-reading, fortune-telling, cartomancy, clairvoyance, clairaudience, crystal-gazing, hypnotism, mediumship, prophecy, augury, divination, magic or necromancy, and who demands or receives a fee for the exercise or exhibition of his art therein, or who gives an exhibition

thereof at any place where an admission fee is charged other than at a regular licensed theater, fifteen dollars (\$15.00) per month.

Sec. 30. For every person conducting, managing or carrying on a public dance-house or public ball-room, fifteen dollars (\$15.00) per month.

Sec. 31. For every person conducting, managing or carrying on the business of furnishing and supplying electricity for light, heat or power, fifteen dollars (\$15.00) per quarter.

Sec. 32. For every person conducting, managing or carrying on the business of selling upon the public street or in any public place, flags, banners, balloons, canes, mechanical or noise-making instruments of any kind, toys, badges, buttons, or souvenirs of any kind, one dollar (\$1.00) per day.

Sec. 33. For every person doing, managing or carrying on the business of manufacturing gas for heat, light or power, twenty-five dollars (\$25.00) per quarter.

Sec. 34. For every person conducting or carrying on a mechanical swing or merry-go-round or a Ferris wheel or similar device, ten dollars (\$10.00) per week, provided that such mechanical swing, merry-go-round, Ferris wheel, or similar device, shall not be operated on Sundays, nor shall any such mechanical swing, merry-go-round, Ferris wheel, or similar device, operate or have in connection therewith any mechanical contrivance for producing music or noise, and the operation of any such music or noise-making instrument is hereby declared to be a public nuisance.

Sec. 35. For every person engaged in the business of bill distributing by hand, from house to house or on the streets of said city, one dollar (\$1.00) per day for each person engaged in such distribution.

Sec. 36. For every person engaged in the business of selling or soliciting orders for tombstones or monumental goods by sample, designs, drawings, catalogues, cuts, models, or photographs, twenty dollars (\$20.00) per day.

Sec. 37. Every person conducting, managing or carrying on the business of pawn broking shall pay a license of fifteen dollars (\$15.00) per quarter; and each such person is hereby required to keep a book in which shall be entered at the time of the purchase, written legibly in the English language, a true and accurate description of every article purchased, pledged with, or received by him; the name, residence and an accurate description of the vendor or person from whom received; the amount paid for said article and the date and hour of purchase or reception. Such book shall be preserved intact for the space of one year from the date of the last entry therein, and shall be exhibited upon request to any police officer of said city. And said Council shall have the power to revoke any such pawn broker's license without notice, and the money representing the unused portion of such license shall be forfeited to said city.

Sec. 38. For every person conducting, managing or carrying on the business of a junk dealer, three dollars (\$3.00) per quarter.

Sec. 39. For every person conducting, managing or carrying on the business of a shooting gallery, five dollars (\$5.00) per month; provided that no shooting gallery shall be established or maintained within two hundred and sixty-five (265) feet of the center line of State street of said city; nor shall any shooting gallery operate in connection therewith any mechanical device for the production of music or noise; and the operation of any of such mechanical devices is hereby declared to be a public nuisance.

Sec. 40. For every person conducting, managing or carrying on the business of a skating rink, a license tax of five dollars (\$5.00) per quarter.

Sec. 41. For every person conducting, managing or carrying on the business of operating street-cars, there shall be paid by him a license tax of two dollars and one-half (\$2.50) per quarter for each street-car owned, controlled, or capable of operation, and being in said city; and the city tax collector may, before issuing a license therefor, require of such applicant an affidavit made and sworn to by or on behalf of such applicant, showing in detail the number of street-cars operated by him or it each day during the preceding three months.

Sec. 42. Any person peddling or selling on the public streets any peanuts, candy or popcorn shall pay a license tax of one dollar (\$1.00) per month.

Sec. 43. Any person conducting, managing or carrying on any place for the reception or distribution of messages transmitted or to be transmitted by telegraph, shall pay a license tax of ten dollars (\$10.00) per quarter.

Sec. 44. Any person conducting, managing or carrying on a telephone exchange shall pay a license tax of fifteen dollars (\$15.00) per quarter.

Sec. 45. For every person conducting, managing or carrying on, for hire or fees, an exhibition of a weighing machine or any mechanical device for the testing of strength, or any mechanical device for the production of music or pictures for entertainment, shall pay a license tax of two and one-half dollars (\$2.50) per quarter.

Sec. 46. Any person conducting, managing or carrying on the business of keeping any stallion, jack, bull or ram for the purpose of propagation for hire or profit, or who shall permit the same to be used for the purpose of propagation within the limits of the City of Santa Barbara, shall pay a license tax of ten dollars (\$10.00) per year.

Sec. 47. Ordinances Numbers 463, 464 and 499 of said city are hereby expressly continued in force; and Ordinances Numbers 386, 406, 411 and 424 of said city are hereby repealed.

Sec. 48. The right is hereby reserved to revoke any of the foregoing licenses, without notice to the holder or holders thereof, whenever it shall appear to the Council of said city that the business operated under such license is carried on unlawfully, or is run by or has become the resort of criminal or disorderly persons, or has become a public nuisance; and the money represented by the unused portion shall not be returned to the licensee, but shall be forfeited to said city. Revocation of any such license shall not constitute a defense to any criminal prosecution.

Sec. 49. This ordinance, after its passage and approval, shall be published once before September 30, 1905, in The Morning Press, a daily newspaper of general circulation,

printed, published and circulated in said city; and shall take effect and be in force on September 30, 1905.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 25th day of September, 1905, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, C. E. Lataillade, E. G. Dodge, J. W. Smith, Peter Poole, F. F. Pierce.

Noes: None.

Absent: Councilman N. D. Smith.

It is hereby presented to the Mayor of said city for his approval on this 28th day of September, 1905.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 28th day of September, 1905.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 28th day of September, 1905.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 526.

An Ordinance to Regulate and License the Business of Bill-posting, Sign Advertising, and Advertising Agent, in the City of Santa Barbara, California, and to Punish the Violation Hereof.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. No person, firm or corporation shall carry on the business of advertising by posting, sticking, tacking, or affixing or painting signs to or upon posts, fences, billboards, advertising sign-boards, brick, wooden or iron buildings, or other structures, in the City of Santa Barbara, without having procured a license therefor as required by the terms of this ordinance.

Sec. 2. The words "bill-posting," "sign-advertising" and "advertising agent" contained in this ordinance are hereby construed to include the act or the business of tacking, posting or painting advertisements, of any nature whatsoever, upon bill-boards, advertising sign-boards, buildings or any similar structures; providing, however, that no definition herein contained shall apply to the advertising of religious organizations or meetings called for divine worship, nor to the distribution by hand in said city of advertisements by any person advertising the business in which such person is directly engaged in the said City of Santa Barbara.

Sec. 3. Any person, firm or corporation may obtain a license to carry on the business of bill-posting, sign-tacking and sign-advertising within the said City of Santa Barbara upon the payment to the city tax collector the license fees hereinafter specified, and upon such payment being made, the city clerk shall issue to such person a license therefor.

Sec. 4. The license fee for engaging or carrying on the business of bill-posting and sign-advertising as defined in this ordinance, is hereby fixed at forty dollars (\$40.00) per year, payable in advance.

Sec. 5. No person shall erect or maintain any bulletin-board, in the City of Santa Barbara, of a greater height than ten (10) feet from the ground upon which such bulletin-board is erected; and all such bulletin-boards shall be securely erected and maintained; and all and every one of such boards, together with the premises surrounding such boards, shall be kept clean and free from torn paper and debris.

Sec. 6. No person, firm or corporation shall place or maintain, upon any public street or sidewalk of said city, any bulletin or advertising board which is not firmly attached to a building or post; provided that the provisions of this section are subject to all ordinances now or hereafter in force in said city regulating the obstruction of streets or sidewalks and the maintenance of signs thereon; and no person, firm or corporation shall, in said city, place, erect or maintain any bulletin-board on or in front of any premises without the written consent of the owner or occupant of such premises.

Sec. 7. Violation of the provisions of this ordinance, or any of them, will authorize the Council of said city to revoke any license hereinabove described which may be held by the person violating such provision, or by his principal or employer; and no rebate shall be allowed for the unused portion of such license, but the money represented by the unused portion of such license shall be forfeited to said city. Revocation of a license under this section shall not, however, preclude the institution of criminal proceedings under the succeeding sections.

Sec. 8. Violation of any of the provisions of this ordinance, whether as principal, agent, servant or employee, shall be punishable by a fine of not less than five (5.00) nor more than one hundred dollars (\$100.00), or by imprisonment in the city jail for not less than one (1) nor more than ten (10) days, or by both such fine and imprisonment.

Sec. 9. This ordinance, after its passage and approval, shall be published once in the Daily News, a daily newspaper of general circulation, printed, published and circulated in said city, and shall take effect and be in force immediately upon its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 25th day of September, 1905, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, C. E. Lataillade, E. G. Dodge, J. Will Smith, Peter Poole, and F. F. Pierce.

Noes: None.

Absent: Councilman N. D. Smith.

It is hereby presented to the Mayor of said city for his approval on this 28th day of September, 1905.

ALFRED DAVIS,

[Seal]

City Clerk of said City.

Received by me this 28th day of September, 1905.

GEO. S. EDWARDS,

Mayor of said City.

The foregoing ordinance is hereby approved this 28th day of September, 1905.

GEO. S. EDWARDS,

Mayor of said City.

ORDINANCE NO. 541.

An Ordinance to Regulate Public Billiard and Pool Rooms in the City of Santa Barbara, California, and to Prohibit Minors Under the Age of 18 Years From Visiting Such Places; and to Provide Penalties for the Violation Hereof; and to Provide for Revoking Billiard and Pool Table Licenses.

The Council of the City of Santa Barbara, California, do ordain as follows:

Setion 1. No person shall keep open any public billiard or pool room in the City of Santa Barbara, or permit the use of any public billiard or pool table therein at any time on any day between the hours of twelve o'clock midnight and six o'clock of the forenoon next succeeding.

Sec. 2. It shall be unlawful for any person under the age of 18 years to be or remain in, enter or visit any public billiard or pool room in said City of Santa Barbara.

Sec. 3. It shall be unlawful for the proprietor or any person having charge or control of any public billiard or pool room in said city, whether as principal, agent, servant or employee, to suffer or permit any person under the age of 18 years to be or remain in, enter or visit such public billiard or pool room in said city.

Sec. 4. Violation of any of the provisions of this ordinance shall be a misdemeanor and shall be punishable by a fine of not less than five dollars nor more than fifty dollars or by imprisonment in the city jail not less than one nor more than ten days, or by both such fine and imprisonment.

Sec. 5. Either upon or in the absence of a conviction under this ordinance, the Council of this city has and reserves the power to revoke any or all public billiard or pool licenses held by any one who in person or by agent, servant or employee violates any of the provisions of this ordinance, and any or all public billiard or pool table licenses held by anyone who in person or by agent, servant or employee

runs, manages or conducts the billiard or pool room in which such license or licenses are operated, in a disorderly manner or allows or permits such billiard or pool room to become the resort of criminal or disorderly persons. Such revocation may be either upon proof to the Council by legal testimony or by the consideration by the Council or record proof of conviction under this ordinance, in which latter case such record proof shall be final and conclusive evidence of the fact of such violation as charged in the complaint under which such conviction is had; the Council, however, having the power to take proof of the relationship between the person convicted and the person whose license is sought to be forfeited.

Upon the revocation of a license as herein authorized and provided, the money represented by the unused portion of said license so revoked shall be forfeited to said city, and the person whose license is or whose licenses are so forfeited shall not be entitled to any other or further billiard or pool table license from said city, either in person or by proxy, partner or person jointly interested with him.

The word "person" as used herein with respect to the holder of a license, shall be construed to mean persons, firms and corporations.

Sec. 6. This ordinance after its passage and approval, shall be published once in The Independent, a daily newspaper of general circulation printed, published and circulated in said city, and shall take effect and be in force immediately upon its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this first day of March, 1906, by the following vote on roll call:

Ayes: Councilmen W. T. McKnight, N. D. Smith, Wm. Raffour, E. G. Dodge, J. W. Smith, Peter Poole, J. C. Haslinger.

Noes: None.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 2nd day of March, 1906.

ALFRED DAVIS,
Clerk of said City.

Received by me this 2nd day of March, 1906.

THOMAS D. WOOD,
Mayor of said City.

The foregoing ordinance is hereby approved this 3rd day of March, 1906.

THOMAS D. WOOD,
Mayor of said City.

ORDINANCE NO. 542.

An Ordinance to Amend Ordinance No. 525 of the City of Santa Barbara, Relating to Licenses, by Inserting a new Section Therein in Lieu of Section 16 Relating to Circus Licenses; a New Section Therein in Lieu of Section 17 Relating to Circus Licenses; a New Section Therein in Lieu of Section 36 Relating to Selling or Soliciting Orders by Sample, Catalogue, Cut, Model or Photograph; and a New Section Therein in Lieu of Section 30 Relating to Public Dance Houses and Public Ball Room Licenses.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. Section 16 of Ordinance No. 525 of said city, passed September 25, 1905, and approved September 28, 1905, is hereby amended so as to read as follows:

"Section 16. For every person conducting, managing or carrying on a circus under canvas or in a temporary structure, whose main tent or auditorium has a seating capacity of 500 or less than 500 persons, ten dollars for each performance of such circus. For every person conducting, managing or carrying on a circus under canvas or in a temporary structure, whose main tent or auditorium has a seating capacity of more than 500 persons and less than 3000 persons, twenty-five dollars for each performance of said circus."

Sec. 2. Section 17 of said Ordinance No. 525 is hereby amended to read as follows:

"Section 17. For every person conducting, managing or carrying on a circus under canvas or in a temporary structure, whose main tent or auditorium has a seating capacity of 3000 or more than 3000 persons, seventy-five dollars for each performance of said circus."

Sec. 3. Section 30 of said Ordinance No. 525 is hereby amended so as to read as follows:

"Section 30. For every person conducting, managing or carrying on a public dance house or public ball room, ten dollars per quarter."

Sec. 4. Section 36 of said Ordinance No. 525 is hereby amended so as to read as follows:

"Section 36. For every person outside of those conducting regular places of business in said city, engaged in the business of selling or soliciting orders for articles of wearing apparel, drugs, fancy goods, notions, jewelry, groceries, pianos, organs, machinery, vehicles, hardware, tinware, mill products, or merchandise of any class or character (excepting fruit, vegetables and farm products) to persons not regularly engaged in or carrying on such lines of business, whether by sample, design, drawings, catalogues, cuts, models or photographs, a license tax of ten dollars per day for each person so engaged in such business of selling or soliciting in the manner above described.

"The provisions of this section shall not apply to persons engaged in the business of itinerant venders of drugs, spectacles, eyeglasses, nostrums, ointments, appliances for the treatment of disease or injuries, or defective eyesight or deformities, who are under Ordinance No. 499 of this city (passed and approved March 2nd, 1905, which ordinance is hereby expressly continued in force) liable to pay a license tax of ten dollars per day for an itinerant venders' license.

Sec. 5. This ordinance, after its passage and approval, shall be published once in The Independent, a daily newspaper of general circulation printed, published and circulated in said city, and shall take effect and be in force immediately upon its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this first day of March, 1906, by the following vote on roll call:

Ayes: Councilmen W. T. McKnight, N. D. Smith, Wm. Raffour, E. G. Dodge, J. W. Smith, Peter Poole, J. C. Hasinger.

Noes: None.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 2nd day of March, 1906.

ALFRED DAVIS,
Clerk of said City.

Received by me this 2nd day of March, 1906.

THOMAS D. WOOD,
Mayor of said City.

The foregoing ordinance is hereby approved this 3rd day of March, 1906.

THOMAS D. WOOD,
Mayor of said City.

CHAPTER III

Streets and Plazas

Subd. 1.—Street grades.

Subd. 2.—Sidewalks.

Subd. 3.—Vacation, opening and use of certain streets and sidewalks.

Subd. 4.—Regulations for street, sidewalk and sewer construction.

Subd. 5.—Penal ordinances relating to streets, sidewalks, sewers and plazas.

CHAPTER III—SUBDIVISION I

STREET GRADES,

ORDINANCE NO. 389.

To declare intention to change grade of Laguna street between southeast line of Sola street and northwest line of Anapamu street.

ORDINANCE NO. 390.

To declare intention to change official grade on Victoria street between northeast line of Garden street and southwest line of Canal street.

ORDINANCE NO. 392.

To change grade of Victoria street between northeast line of Garden street and southwest line of Canal street.

ORDINANCE NO. 393.

To change grade of Laguna street between southeast line of Sola street and northwest line of Anapamu street.

ORDINANCE NO. 397.

To declare intention to change grade of Laguna street between southeast line of Sola street and northwest line of Anapamu street.

ORDINANCE NO. 398.

To declare intention to change grade of Victoria street between northeast line of Garden street and southwest line of Canal street.

ORDINANCE NO. 402.

To change grade of Victoria street from northeast line of Garden street to southwest line of Canal street.

ORDINANCE NO. 403.

To change grade of Laguna street between southeast line of Sola street and northwest line of Aanpamu street.

ORDINANCE NO. 410.

To declare intention to change grade of Mason street between southwest line of State street and northeast line of Chapala street.

ORDINANCE NO. 412.

To declare intention to change grade of Laguna street between northwest line of Valerio street and southeast line of Islay street.

ORDINANCE NO. 413.

To declare intention to change grade of Laguna street between northwest line of Sola street and southeast line of Micheltorena street.

ORDINANCE NO. 417.

To change grade of Laguna street between northwest line of Sola street and southeast line of Micheltorena street.

ORDINANCE NO. 418.

To change grade of Mason street between southwest line of State street and northeast line of Chapala street.

ORDINANCE NO. 419.

To change grade of Laguna street between northwest line of Valerio street and southeast line of Islay street.

ORDINANCE NO. 431.

To declare intention to change grade of Sola street from northeast line of Garden street to southwest line of Laguna street.

ORDINANCE NO. 433.

To change grade of Sola street between northeast line of Garden street and southwest line of Laguna street.

ORDINANCE NO. 446.

To declare intention to change grade of Sola street between northeast line of Laguna street and southwest line of Canal street.

ORDINANCE NO. 465.

Establishing the official grade of the following portions of the following streets:

State street, from Mission street to Constance avenue.

Anacapa street, from Mission street to Los Olivos street.

Santa Barbara street, from Mission street to Constance avenue.

Garden street, from Mission street to Junipero street.

Padre street, from State street to Laguna street.

Los Olivos street, from State street to Garden street.

Pueblo street, from State street to Anacapa street, and from Santa Barbara street to Garden street.

ORDINANCE NO. 466.

To declare intention to change grade of Mission street between southwest line of Garden street and northeast line of Santa Barbara street.

ORDINANCE NO. 467.

To declare intention to change grade of Canal street between northwest line of Arrellaga street and southeast line of Valerio street.

ORDINANCE NO. 468.

To declare intention to change grade of Valerio street between northeast line of Laguna street and northeast line of Garden street and northwest line of Santa Barbara street.

ORDINANCE NO. 473.

To declare intention to change grade of Valerio street between northeast line of Garden street and southwest line of Laguna street.

ORDINANCE NO. 474.

To establish grade of Canon Perdido street from northeast line of San Andreas street to southwest line of San Pascual street.

ORDINANCE NO. 475.

To declare intention to change grade of Victoria street from northeast line of Laguna street to southwest line of Salsipuedes street.

ORDINANCE NO. 476.

To declare intention to change grade of Canal street between northwest line of Anapamu street and southeast line of Sola street.

ORDINANCE NO. 480.

To declare grade of Canal street between northwest line of Arellaga street and southeast line of Valerio street.

ORDINANCE NO. 481.

To change grade of Mission street between southwest bara street.

ORDINANCE NO. 482.

To change grade of Valerio street between northeast line of Laguna street and northeast line of Canal street.

ORDINANCE NO. 483.

To change grade of Canal street between northwest line of Anapamu street and southeast line of Sola street.

ORDINANCE NO. 484.

To change grade of Victoria street between northeast line of Laguna street and southwest line of Salsipuedes street.

ORDINANCE NO. 486.

To declare intention to change grade of Arrellaga street from northeast line of Rancheria street to southwest line of Bath street.

ORDINANCE NO. 487.

To declare intention to change grade of Castillo street from northwest line of Sola street to southeast line of Valerio street.

ORDINANCE NO. 488.

To declare intention to change grade of Micheltorena street from center of Rancheria street to southwest line of Bath street.

ORDINANCE NO. 496.

To establish grade of Valerio street from northeast line of Canal street to Pueblo line.

ORDINANCE NO. 502.

To declare intention to change grade of Canal street between southeast line of Micheltorena street and northwest line of Anapamu street.

ORDINANCE NO. 503.

To declare intention to change grade of Sola street between northeast line of Laguna street and southwest line of Salsipuedes street.

ORDINANCE NO. 504.

To declare intention to change grade of Victoria street between northeast line of Laguna street and southwest line of Salsipuedes street.

ORDINANCE NO. 506.

To change grade of Canal street between southeast line of Micheltorena street and northwest line of Anapamu street.

ORDINANCE NO. 507.

To change grade of Sola street between northeast line of Laguna street and southwest line of Salsipuedes street.

ORDINANCE NO. 508.

To change grade of Victoria street between northeast line of Laguna street and southwest line of Salsipuedes street.

ORDINANCE NO. 509.

To declare intention to change grade of Figueroa street between southwest line of Castillo street and northeast line of Rancheria street.

ORDINANCE NO. 510.

To establish grade of Moravila street.

ORDINANCE NO. 513.

To change grade of Laguna street between northeast line of Victoria street and southeast line of Sola street.

ORDINANCE NO. 515.

To change grade of Figueroa street between southwest line of Castillo street and northeast line of Rancheria street.

ORDINANCE NO. 516.

To change grade of Laguna street between northwest property line of Sola street and southeast line of Arrellaga street.

ORDINANCE NO. 529.

To establish grade of Grand avenue between California street and Grand avenue, North.

ORDINANCE NO. 530.

To establish grade of Ocean View avenue, from Coast Highway, northerly.

ORDINANCE NO. 531.

To change grade of Arrellaga street from northeast line of Canal street to northeast line of Pueblo Lands.

ORDINANCE NO. 532.

To change grade of Micheltorena street from southwest line of Canal street to 510 feet northeast therefrom.

ORDINANCE NO. 535.

To change grade of Canal street between southeast line of Valerio street and northwest line of Micheltorena street.

ORDINANCE NO. 537.

To establish the general grade and fix curb lines of portions of First avenue, Second avenue, Third avenue, Rancheria street, Castillo street, Bath street, Neal's Addition; Fourth street, Fifth street, Sixth street, Alamar avenue, Fletcher street, Castillo street, Bath street, Orella street, Collins street and Hollister avenue, Oak Park Tract.

CHAPTER III—SUBDIVISION II
SIDEWALKS.

ORDINANCE NO. 434.

To establish width of sidewalks on northeast side of Block 48 on Chapala street.

CHAPTER III—SUBDIVISION III
VACATION, OPENING AND USE OF CERTAIN STREETS
AND SIDEWALKS.

ORDINANCE NO. 385.

An Ordinance to Declare Cottage Grove Avenue a Public Street of the City of Santa Barbara.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. That certain parcel of land in said city described as: All that portion of City Block No. 252 of said

city described as a strip of land of a uniform width of fifty-three feet, running through said block from Bath street to De la Vina street and parallel with Gutierrez street and the southeast line of which land is parallel with and of the uniform distance of one hundred and five (105) feet from the northwest line of Gutierrez street, is hereby declared to be a public street, which shall hereafter be known and called "Cottage Grove Avenue."

This declaration is made pursuant to a written dedication of said strip of land to public use as a public street of the City of Santa Barbara made October 20, 1900, by P. J. Barber and A. W. Potter, the then owners of the fee of said land, which declaration has been filed with the city clerk of said city and is hereby ordered to be by him recorded in the county recorder's office of Santa Barbara County, California.

Sec. 2. This ordinance after its passage and approval shall be published once in The Independent, a daily newspaper printed, published and circulated in said City of Santa Barbara and shall take effect immediately upon its passage, approval and publication.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 17th day of October, 1901, by the following vote on roll call:

Ayes: Councilmen Jo B. Wentling, N. D. Smith, C. E. Lataillade, J. L. Hurlbut, M. Lloyd, Charles Weile.

Noes: None.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 18th day of October, 1901.

[Seal]

ALFRED DAVIS,
City Clerk of said City.

Received by me this 18th day of October, 1901.

N. D. SMITH,
President of Council and Acting Mayor of said City.

The foregoing ordinance is hereby approved this 18th day of October, 1901.

N. D. SMITH,
President of Council and Acting Mayor of said City.

ORDINANCE NO. 420.

To purchase a strip of land on southerly line of Montecito street between Chapala and De la Vina streets from Potter Hotel Co.

ORDINANCE NO. 472.

To authorize condemnation of land on Laguna street belonging to Julia G. Baker.

ORDINANCE NO. 469.

An Ordinance to Widen the Eastern Extension of the Ocean Boulevard of the City of Santa Barbara, California, from State Street to the Easterly Line of Garden Street by Ten Feet on the South; and to Consent to the Location of the Street Railway Line Herein Described in the Center of Such Widened Portion of Said Eastern Extension of Said Ocean Boulevard.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. The eastern extension of the Ocean Boulevard of said city from State street of said city to the easterly line of Garden street of said city, is hereby widened by adding thereto a strip of land ten feet in width, the north boundary of which is the southerly line of the present eastern extension of said Ocean Boulevard, and the southerly line of which is a line distant ten feet from and parallel with said southerly line of said present eastern extension of said Ocean Boulevard. And said city, so far as it has power to add said ten-foot strip to said eastern extension of said Ocean Boulevard, does hereby add the same and widen said eastern extension of said Ocean Boulevard to that extent.

And said city does hereby authorize and instruct the proper boards and officers of said city to take all necessary steps for widening said eastern extension of said Ocean Boulevard within said limits to said extent; and does hereby consent to the location of a single track electric street railway under and pursuant to the terms of the franchise granted to one F. E. Miller by said city by Ordinance No. 458 passed and adopted January 28, 1904, in and along the center line of said eastern extension of said Ocean Boulevard (as so widened), between said State street and the easterly line of Garden street of said city.

Provided, however, that the work of filling and bulk-heading said ten-foot strip provided for in and by said franchise to be done by the holder thereof shall be commenced forthwith and prosecuted diligently to completion; otherwise this consent to be of no effect.

Sec. 2. This ordinance after its passage and approval shall be published once in The Independent, a daily newspaper of general circulation printed, published and circulated in the said City of Santa Barbara, and shall take effect and be in force immediately upon its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 14th day of April, 1904, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, C. E. Lataillade, E. G. Dodge, J. W. Smith, Peter Poole, F. F. Pierce.

Noes: None.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 15th day of April, 1904.

ALFRED DAVIS,
City Clerk of said City.

Reelved by me this 15th day of April, 1904.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 15th day of April, 1904.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 479.

To close up parts of Cacique street and Canal street, in Shore Acres Tract.

ORDINANCE NO. 489.

To accept dedication of certain streets, alleys and places in Shore Acres Tract.

ORDINANCE NO. 514.

To close up a portion of Laguna street (strip on west side).

ORDINANCE NO. 417.

To define the lines of Laguna street between the south-east line of Arrellaga street and northwest line of Anapamu street.

ORDINANCE NO. 519.

To abandon Ashley avenue and part of Bella Vista street, in Eddy tract.

ORDINANCE NO. 536.

To close alley in Block 288 (S. P. Co. depot block).

CHAPTER III—SUBDIVISION IV
REGULATIONS FOR STREET, SIDEWALK AND SEWER
CONNECTIONS.

ORDINANCE NO. 395.

**An Ordinance to Authorize and Regulate the Issuance of
Permits for the Digging of Trenches in Unpaved Streets
in the City of Santa Barbara.**

The Council of the City of Santa Barbara do ordain as follows:

Section 1. It shall be unlawful for any person to dig any trench in any unpaved street of said city for the purpose of laying gas, water or sewer pipe therein, without first obtaining the written permission of the superintendent of streets therefor. Said superintendent shall grant no permit until the applicant therefor has deposited with him a certified cheque on some responsible bank in said city payable to the order of said superintendent of streets, in the following amounts: If the proposed trench to be not longer than fifty feet in the street, \$10.00, and for each 100 feet or fraction thereof in addition to fifty feet \$5.00. Such deposit shall be held by said superintendent and shall not be returned by him to the applicant until said trench is refilled, wetted and tamped, all to the satisfaction of said superintendent of streets. If said trench be not refilled, wetted and tamped as aforesaid within three days after the completion of pipe laying therein said superintendent shall cause said work to be done, paying therefor out of said deposit and returning the balance if any to the person depositing the same.

Sec. 2. Any person violating any of the provisions of this ordinance, whether as principal, agent, servant or employee, shall upon conviction be fined not more than \$50 or imprisoned not more than ten days, or be punished by both such fine and imprisonment.

Sec. 3. After its passage and aproval this ordinance shall be published once in the Daily News, a daily newspaper of general circulation, printed, published and circulated in said city and shall take effect immediately on its passage, aproval and first publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara and was finally passed this 20th day of February, 1902, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, Wm. Ealand, J. W. Smith, Geo. Rutherford Jr., F. F. Pierce.

Noes: None.

Absent: Councilmen N. D. Smith, C. E. Lataillade.

It is hereby presented to the Mayor of said city for his aproval on this 21st day of February, 1902.

[Seal] ALFRED DAVIS,
City Clerk of said City.

Received by me this 21st day of February, 1902.
GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby aproved this 21st day of February, 1902.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 505.

An Ordinance to Regulate the Future Laying of Main Sewers in the Streets of the City of Santa Barbara by Persons, Firms or Corporations at Private Expense, and to Provide for and Regulate Connections With Certain of Such Main Sewers Which Have Already Been Laid at Private Expense.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. Whenever, after the taking effect of this ordinance, any person, firm or corporation shall lay or cause to be laid in any public street within said city a main sewer at the expense of such person, firm or corporation, any other person, firm or corporation owning or occupying the land fronting on said main sewer or lying in whole or in part within two hundred twenty-five (225) feet of either line of the street upon which said main sewer may be laid, shall be entitled to connect a sewer or sewers with such main sewer either by means of lateral connection or lateral connections, or by an extension of such main sewer, or by an extension of such main sewer and lateral connections therewith, without charge or compensation for the use thereof or for such connection or extension.—

Provided, however, that such connection or connections shall in all cases be made with the written consent of either the city engineer of said city or the Council of said city (consent of which Council shall be evidenced by resolution), and that such connection or connections or extension shall be made under the direction and to the satisfaction of the superintendent of streets of said city.

Sec. 2. Neither the Council nor any officer of said city shall hereafter have power to permit any sewer in any public street of said city to be laid free from the provisions of or privileges conferred by Section 1 hereof.

Sec. 3. Any and all main sewers heretofore laid in any street or portion of said street in said city shall be and are hereby declared to be subject to the provisions of Section 1 hereof;

Provided, however, that in cases where an owner or owners of land within said city have heretofore constructed at their own expense and without resort to any proceedings in and by said Council for the laying of such sewer by means of a front foot or district assessment, such owner or owners may receive compensation for connections hereafter made with such sewer by complying with the following provisions:

(a) Such owner or owners shall file with the Council of said city an itemized statement of the amount expended and actually paid for the construction of such main sewer, stating the date when such sewer was constructed and the route and termini thereof; whereupon said Council shall

examine such statement and if satisfied that the same is correct shall approve the same and direct the city clerk to certify to such approval and file the same in the office of the city engineer who shall keep an indexed record of such approved amounts.

(b) From and after the date of such filing in the office of said city engineer, any person, firm or corporation who owns or occupies land fronting on the street in which such main sewer has been laid and constructed, may make a lateral connection or connections with such main sewer, upon the payment to the city engineer of said city for the benefit of the owner or owners who have filed said statement, or their assigns, of a proportionate amount ascertained by estimating the proportion which the frontage on said street on which said sewer is to be laid, owned or occupied by the owner or owners desiring to connect, bears to the total frontage on both sides of the portion of street in which said sewer is laid.

(c) Neither said Council nor said city engineer shall have power to require such payment from any owner or occupant of land the owner or occupant of which at the time such sewer was constructed paid or shared in the payment of the expenses of the construction of such sewer, whether his payment at the time of the construction of such sewer was a reasonable or proportionate payment or not.

(d) The provisions of this section shall not apply to cases where the person or persons constructing a sewer have constructed the same under a permit reciting that the sewer when completed was to be the property of said city, or words clearly equivalent to such recital, or where such owner or owners have expressly agreed to transfer or dedicate such sewer to the use of said city, or where said city has granted or grants permission for the extension of such sewer, or for connecting a main sewer therewith.

Sec. 4. This ordinance after its passage and approval shall be published once in The Independent, a daily newspaper of general circulation printed, published and circulated in said city and shall take effect and be in force immediately upon its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed on this 20th day of April, 1905, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, C. E. Lataillade, E. G. Dodge, J. W. Smith, Peter Poole, F. F. Pierce.

Noes: None.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 21st day of April, 1905.

ALFRED DAVIS,
City Clerk of said City.

[Seal] Received by me this 21st day of April, 1905.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 21st day of April, 1905.

GEO. S. EDWARDS,
Mayor of said City.

CHAPTER III—SUBDIVISION V

PENAL ORDINANCES RELATING TO STREETS, SIDE- WALKS AND SEWERS.

ORDINANCE NO. 371.

An Ordinance to Declare Weeds, Grass, Rubbish and Impediments on Sidewalks, and Tree Branches Overhanging Sidewalks or Traveled Streets, to be Public Nuisances; to Provide for the Abatement Thereof and to Punish the Violation Hereof.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. The growth or existence of grass, weeds, rubbish or impediments to travel, of any kind, upon any sidewalk in this city between the property line adjacent thereto and the line of the street curb, is hereby declared to be a public nuisance.

The overhanging of any part of a tree within less than eight feet, and above the surface of any sidewalk or traveled street in this city is hereby declared to be a public nuisance.

Sec. 2. No owner, lessee, occupant or person in charge of any real estate shall permit the existence on or over the sidewalk in front of such property, of all or any of the things hereinbefore declared to be public nuisances.

No owner, lessee or person in charge of any tree in said city shall permit such tree or any portion thereof to overhang above any sidewalk or traveled street within eight feet above and above the surface of such sidewalk or traveled street.

Sec. 3. The superintendent of streets shall, in writing, notify any such person guilty of the violation of any of the provisions of this ordinance, to abate the nuisance, specifying it, within ten days from the service of such notice. If such nuisance be not abated within said time, said superintendent shall abate such nuisance at the cost of said city, the cost and expense whereof shall be collectible from the person or persons so notified, by action in the proper court on suit of the city.

Sec. 4. It shall be a misdemeanor for any such person upon whom notice is served aforesaid to permit the nuisance specified in such notice to remain unabated for the period of ten days after service of such notice, and the punishment therefor upon conviction thereof, shall be a fine of not less than \$5.00 nor more than \$50.00 or imprisonment for not less than one day nor more than ten days, or both such fine and imprisonment. Criminal prosecution hereunder shall not bar an action under Section 3 hereof.

Sec. 5. Ordinance number three hundred eleven (311) of said city, passed and approved December 3rd, 1897, is hereby repealed.

This ordinance after its passage and approval shall be published once in the Daily News, a daily newspaper of

general circulation, published and circulated in said city, and shall take effect immediately on its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 2nd day of May, 1901, by the following vote on roll call:

Ayes: Councilmen J. B. Wentling, N. D. Smith, C. E. Lataillade, J. L. Hurlburt, J. T. Crane, Chas. Weile.

Noes: None.

Absent: Councilman Marion Lloyd.

It is hereby presented to the Mayor of said city for his approval on this 3rd day of May, 1901.

ALFRED DAVIS,
City Clerk of said City.

[Seal]

Received by me this 3rd day of May, 1901.

C. A. STORKE,
Mayor of said City.

The foregoing ordinance is hereby approved this 3rd day of May, 1901.

C. A. STORKE,
Mayor of said City.

ORDINANCE NO. 377.

An Ordinance to Declare the Growth or Deposit of Bermuda Grass on or in Gutters or Traveled Streets of Said City a Public Nuisance, to Prohibit Such Growth and Deposit and to Punish the Violation Hereof.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. The growth or deposit of Bermuda grass (*Cynodon Dactylon*) on or in any gutter or on or in any traveled street in said city is hereby declared to be a public nuisance.

Sec. 2. No person, firm or corporation shall place, throw or deposit any of said grass or the roots thereof, in any gutter or on any traveled street of said city. Said grass is commonly known as Sandwich Island grass or Island grass.

Sec. 3. Any person, firm or corporation, whether acting as principal, agent, servant or employee, who shall throw, place or deposit any of said grass or the roots thereof, in any gutter or on any traveled street of said city, shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not less than five dollars, nor more than ten dollars, or be imprisoned not more than ten days, or by both such fine and imprisonment.

The word "gutter" in this ordinance shall be construed to mean only those gutters which now or may hereafter exist at the sides of traveled streets in said city or intersecting the same.

Sec. 4. This ordinance shall, after its passage and approval, be published once in the Independent, a daily newspaper of general circulation, printed, published and circulated in said city, and shall take effect immediately on its approval and first publication.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 18th day of July, 1901, by the following vote on roll call:

Ayes: Councilmen Jo B. Wentling, N. D. Smith, C. E. Lataillade, Marion Lloyd, J. T. Crane, Chas. Weile.

Noes: Councilmen, None.

Absent: Councilman J. L. Hurlbut.

It is hereby presented to the Mayor of said city for his approval on this 19th day of July, 1901.

ALFRED DAVIS,

[Seal]

City Clerk of said City.

Received by me this 19th day of July, 1901.

C. A. STORKE,
Mayor of said City.

The foregoing ordinance is hereby approved this 19th day of July, 1901.

C. A. STORKE,
Mayor of said City.

ORDINANCE NO. 383.

An Ordinance to Prohibit the Standing of Animals or Vehicles on Certain Portions of State Street.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. No person owning or in charge of any animal or animals harnessed to any vehicle shall permit the same to stand, whether hitched or not, for a longer period than five minutes on State street of said city between any street car turnout now or hereafter constructed and the line of the nearest curb thereto.

Section 2. Every person violating the provisions of this ordinance, whether as principal, agent, servant or employee, shall upon conviction thereof be punished by a fine of not less than \$20.00 nor more than \$10.00 or by imprisonment not less than one day nor more than five days, or by both such fine and imprisonment.

Sec. 3. This ordinance shall, after its passage and approval, be published once in The Independent, a daily newspaper printed and published and circulated in the said city, and shall take effect and be in force immediately upon its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 17th day of October, 1901, by the following vote on roll call:

Ayes: Councilmen Jo B. Wentling, C. E. Lataillade, M. Lloyd, J. T. Crane, Chas Weile.

Noes: N. D. Smith, J. L. Hurlbut.

Absent: None.

It is hereby presented to the acting Mayor of said city for his approval on this 18th day of October, 1901.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 18th day of October, 1901.

N. D. SMITH,
President of Council and Acting Mayor of said City.

The foregoing ordinance is hereby approved this 18th day of October, 1901.

N. D. SMITH,
President of Council and Acting Mayor of said City.

ORDINANCE NO. 499.

An Ordinance to Regulate the Speed of Street Cars in the City of Santa Barbara, and to Prescribe a Penalty for the Violation Hereof.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. It shall be unlawful for any person, whether acting as principal, agent, servant or employee, to drive or propel, or cause to be driven or propelled, any street car on any street or portion of a street in the City of Santa Barbara faster than at the following rates of speed:

On State street not faster than at the rate of ten (10) miles per hour;

On any street in said city other than said State street not faster than at the rate of fifteen (15) miles per hour.

Sec. 2. Any person violating any of the provisions of this ordinance shall be punishable by a fine of not less than ten dollars, nor more than one hundred dollars; or by imprisonment in the city jail for a period not exceeding ten days; or by both such fine and imprisonment.

Sec. 3. All provisions in any preceding ordinances of this city which limit the rate of speed of street cars are hereby repealed so far as they relate to and affect the rates of speed of street cars.

And it is hereby ordered that this ordinance, after its passage and approval, shall be published once in the Daily News, a daily newspaper of general circulation printed, published and circulated within the City of Santa Barbara, and shall take effect and be in force immediately after its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 1st day of October, 1903, by the following vote on roll call:

Ayes: Councilman C. O. Garretson, N. D. Smith, C. E. Lataillade, Wm. Ealand, J. W. Smith, H. L. Stambach.

Noes: None.

Absent: Councilman F. F. Pierce.

It is hereby presented to the Mayor of said city for his approval on this 3rd day of October, 1903.

ALFRED DAVIS,

[Seal]

City Clerk of said City.

Received by me this 3rd day of October, 1903.

GEO. S. EDWARDS,

Mayor of said City.

The foregoing ordinance is hereby approved this 7th day of October, 1903.

GEO. S. EDWARDS,

Mayor of said City.

ORDINANCE NO. 495.

An Ordinance to Regulate the Use of the Ocean Boulevard of the City of Santa Barbara, California, and the Eastern Extension Thereof Within Certain Limits, and to Prohibit the Use of Certain Vehicles Thereon and the Driving of Certain Loose Stock Thereon, and to Formally Establish Said Boulevard as Such; and to Punish the Violation Hereof.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. The public highway in said city known as the Ocean Boulevard, which extends from State street westerly to the Plaza del Mar, along the water front of said city, is hereby declared to be a public boulevard of said city.

The eastern extension of said Ocean Boulevard,—which said eastern extension extends easterly from State street of said city, along the water front of said city to the lands now owned by Lee Eleanor Graham,—which lands are commonly known as Booth's Point, is hereby established as and declared to be a public boulevard of said city.

Sec. 2. No person shall drive or cause to be driven on either of said public boulevards, or on any part thereof, any loose cattle, horses, mules, hogs or sheep.

Sec. 3. No person or persons shall use, drive or propel, or cause to be used, driven or propelled on said public boulevards, or either of them, or on any portion thereof, any wagon, dray, truck or vehicle carrying coal, lumber, hay, iron, machinery, ice, merchandise, farmers' produce, stone, brick, sand, earth, oil or building material.

Provided, however, that hauling of sand across the said eastern extension of said Ocean Boulevard at any street intersection is hereby permitted.

Sec. 4. Any person violating any of the provisions of this ordinance, whether as principal, agent, servant or employee, shall, upon conviction thereof, be punishable by a fine of not less than three (3) dollars, nor more than twenty (20) dollars, or by imprisonment in the city jail for not less than one day nor more than five days; or by both such fine and imprisonment.

Sec. 5. This ordinance, after its passage and approval, shall be published once in The Independent, a daily newspaper of general circulation printed, published and circulated in said city, and take and be in force immediately after its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 20th day of October, 1904, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, E. G. Dodge, J. Will Smith, Peter Poole, F. F. Pierce.

Noes: None:

Absent: Councilman C. E. Lataillade.

It is hereby presented to the Mayor of said city for his approval on this 21st day of October, 1904.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 21st day of October, 1904.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 21st day of October, 1904.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 533.

An Ordinance to Regulate the Use of the Ocean Boulevard of the City of Santa Barbara, and the Eastern Extension of Said Ocean Boulevard, by Persons, Firms and Corporations Owning or in Charge or Control of Certain Vehicles.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. It shall be unlawful for any person, firm or corporation owning or in charge or control of any vehicle used for the conveyance of passengers for hire (other than street cars) to wait for employment with such vehicle upon any portion of the Ocean Boulevard of said city from the Plaza del Mar to State street of said city, or upon any portion of the eastern extension of said Ocean Boulevard from the westerly line of State street to the lands of Lee Eleanor Graham, or to use any portion of such Ocean Boulevard or said eastern extension for a stand for any vehicle or vehicles used for the carriage of passengers for hire (other than street cars), or to stand, drive or propel any such vehicle or vehicles upon said Ocean Boulevard or said eastern extension thereof so as to prevent the free use

in the customary manner of said eastern extension of said Ocean Boulevard, or of said Ocean Boulevard.

Sec. 2. It shall be unlawful for any person, firm or corporation having the charge, ownership or control of any vehicle used for the carriage or conveyance of passengers for hire (other than street cars) to conduct upon the Ocean Boulevard of said city or the eastern extension thereof the business of waiting or soliciting for passengers for such vehicle.

Section 3. This ordinance, after its passage and approval shall be published once in the Daily News, a daily newspaper of general circulation printed, published and circulated in said city, and shall take effect and be in force immediately on its passage, approval and publication as aforesaid.

Sec. 4. Violation of this ordinance is punishable by a fine of not less than five dollars nor more than twenty dollars or by imprisonment in the city jail for not less than one nor more than ten days or by both such fine and imprisonment.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 21st day of December, 1905, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, C. E. Lataillade, E. G. Dodge, Peter Poole, F. F. Pierce.

Noes: Councilman J. W. Smith.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 22nd day of December, 1905.

[Seal] ALFRED DAVIS,
City Clerk of said City.

Received by me this 22nd day of December, 1905.
GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 22nd day of December, 1905.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 534.

An Ordinance to Amend Ordinance Number 173 of the City of Santa Barbara, California, by Amending Section Number One Thereof, and by Adding a New Section Thereto, and by Adding a New Section in Lieu of Section Four of Said Ordinance Number 173; and to Repeal Ordinance Number 326 of Said City of Santa Barbara.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. Ordinance No. 326 of said city, approved April 21, 1899, is hereby repealed.

Sec. 2. Section 2 of Ordinance No. 173 of said city, passed and approved July 9, 1888, is hereby amended so as to read as follows:

"Section 2. Every vehicle, excepting railroad cars and street railway cars, which shall be used in this city for the conveyance of persons by land from place to place for hire shall be deemed a 'hackney carriage' within the meaning of this ordinance."

Sec. 3. A new section is hereby added to said ordinance No. 173 to read as follows:

"Section 21. Whenever the word 'city marshal' is used in this ordinance it shall apply to and include the chief of police of said City of Santa Barbara."

Sec. 4. Section No. 4 of said ordinance No. 173 shall be amended to read as follows:

"Section 4. No person having charge or control of any hackney carriage or job wagon in said city shall use any public street or public place in said city (other than those places hereinafter designated as 'hackney stands' and 'stands for job wagons') as a place for waiting for employment; provided, however, that persons having a place of business fronting upon a public street of said city may use the half of said public street immediately in front of their

said place of business as a stand for hackney carriages or job wagons owned by said persons, such use to be made so as not to interfere with traffic in said street, and so as not to unreasonably impair the use of said street by other persons, firms or corporations having a right to the use thereof.

The following places are hereby designated as hack stands and stands for job wagons: The Plaza De la Guerra; the sides of all public squares or grounds; steamship landings (subject to all ordinances now or hereafter in force regulating the use thereof); portions of public streets adjoining railway depots (subject to all ordinances now or hereafter in force regulating the use thereof); the east side of State street between Cota and Ortega street, in front of such lots as have no buildings erected thereon; the westerly side of Chapala street from the Ocean Boulevard to a point distant one hundred and fifty feet northwesterly therefrom; the easterly side of Bath street from the Ocean Boulevard to a point distant 150 feet northwesterly therefrom; and the southeasterly side of Victoria street from State street one hundred and twenty-five feet westerly."

Sec. 5. This ordinance, after its passage and approval, shall be published once in the Daily News, a daily newspaper of general circulation, printed, published and circulated in said City of Santa Barbara, and shall take effect and be in force immediately upon its passage, approval and publication as aforesaid.

Sec. 6. Violation of this ordinance is punishable by a fine of not less than five dollars nor more than twenty dollars or by imprisonment in the city jail for not less than one nor more than ten days or by both such fine and imprisonment.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 21st day of December, 1905, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, C. E. Lattaillade, E. G. Dodge, J. W. Smith, Peter Poole, F. F. Pierce.

Noes: None.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 22nd day of December, 1905.

[Seal] ALFRED DAVIS,
City Clerk of said City.

Received by me this 22nd day of December, 1905.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 22nd day of December, 1905.

GEO. S. EDWARDS,
Mayor of said City.

CHAPTER IV

Police Department

ORDINANCE NO. 416.

An Ordinance to Repeal Section 2 of Ordinance No. 335 of Said City, Passed and Approved January 12, 1900, Entitled "An Ordinance to Create a Permanent Police Force, etc.," and to Enact a Section in Lieu Thereof Increasing the Compensation of Members of Said Permanent Police Force From Sixty to Seventy-five Dollars Per Month.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. Section 2 of Ordinance No. 335 of said city, entitled "An Ordinance to Create a Permanent Police Force etc.," and passed and approved January 12, 1900, is hereby repealed; and in lieu thereof the following section is hereby substituted and enacted as and for Section 2 of said Ordinance No. 335, to-wit:

"Section 2. The compensation of each member of said permanent police force shall be the sum of seventy-five dollars per month, payable monthly."

Sec. 2. This ordinance, after its passage and approval, shall be published once in the Daily News, a daily newspaper of general circulation, printed, published and circu-

lated in said city, and shall take effect from and after November 1st, 1902.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 16th day of October, 1902, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, C. E. Lataillade, J. W. Smith, Geo. Rutherford Jr.

Noes: None.

Absent: Councilman Wm. Ealand.

It is hereby presented to the Mayor of said city for his approval on this 17th day of October, 1902.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 17th day of October, 1902.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby aproved this 17th day of October, 1902.

GEO. S. EDWARDS,
Mayor of said City.

CHAPTER V

Waterworks Department

ORDINANCE NO. 373.

An Ordinance to Enact Regulations for the Extension and Addition to the Water Works System to be Constructed and Extended by the Water Works Commission (\$60,000 bond issue).

ORDINANCE NO. 388.

To Authorize Condemnation of Reservoir Site in Mission Lands, Belonging to Santa Barbara Water Co.

ORDINANCE NO. 391.

An Ordinance to Purchase, and Provide for the Purchase, of the Right and Title of George Montgomery, Roman Catholic Bishop of the Diocese of Monterey and Los Angeles (a Corporation Sole) in and to the Land and Easement Situated in the County of Santa Barbara, State of California, and the Condemnation of Which Was Authorized by Ordinance Number 388.

ORDINANCE NO. 396.

An Ordinance to Purchase and Authorize the Purchase of the Rights of the Santa Barbara Water Company in the Tract of Land and Right of Way in Ordinance No. 388 of Said City Described.

ORDINANCE NO. 420½.

To Authorize Condemnation of Mono Reservoir Site.

ORDINANCE NO. 421.

To Authorize Purchase of Portion of Cold Springs Watershed From A. W. Clark.

ORDINANCE NO. 440.

An Ordinance to Authorize the Employment by the Commissioners of the Water Works Department of a Consulting Engineer for the Proposed Water Works Extension, and of a Subordinate Engineer or Engineers, and Prescribing the Compensation Therefor.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. Until the completion of the extension of the water works system provided for Ordinance No. 432 of said city, the commissioners of the water works department may employ a consulting engineer whose compensation shall not exceed six hundred dollars per annum and his

necessary expenses. Said commissioners may also employ such subordinate engineer or engineers as may be required in the proper carrying out of said work at a compensation in all not to exceed an average of one hundred dollars per month.

Sec. 2. This ordinance, after its passage and approval, shall be published once in the Daily News, a daily newspaper of general circulation printed, published and circulated in said city, and shall take effect and be in force immediately upon its passage, approval and first publication.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 23rd day of July, 1903, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, C. E. Lataillade, Wm. Ealand, J. Will Smith, H. L. Stambach.

Noes: None.

Absent: Councilman F. F. Pierce.

It is hereby presented to the Mayor of said city for his approval on this 24th day of July, 1903.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 24th day of July, 1903.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 24th day of July, 1903.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 441.

To Authorize the Employment of Bookkeeper and Superintendent of Water Works Department.

ORDINANCE NO. 456.

An Ordinance to Declare that the Public Interest, Convenience and Necessity Each Demands and Requires, and to Authorize the Execution and Delivery of an Agreement of the City of Santa Barbara With the Santa Barbara Water Company, Containing the Terms and Conditions Herein Set Forth.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. The public interest, convenience and necessity of the City of Santa Barbara and the inhabitants thereof each demands and requires the execution and delivery of the agreement hereby authorized.

Sec. 2. Simultaneously with the duly authorized execution of the agreement hereinafter set forth by the duly authorized officers of the Santa Barbara Water Company, a corporation, under its corporate seal, and the signing and delivery of a consent thereto by stockholders holding more than two-thirds of the outstanding capital stock of said corporation, the Mayor and Clerk of said city are hereby authorized and directed to sign and deliver and the clerk to affix the official seal of said city to an agreement hereinafter recited and set forth.

Said agreement shall be in duplicate, signed, certified and acknowledged by all signatories thereto so as to entitle it to record in the recorder's office of Santa Barbara county.

Said agreement, to its attestation clause, shall be in the words and figures following:

THIS AGREEMENT, made and entered into this seventh day of January, A. D. one thousand nine hundred and four, by and between the City of Santa Barbara, a municipal corporation of the State of California, and the Santa Barbara Water Company, a corporation, with its principal place of business in said city.

WITNESSETH: That the agreements herein contained are made in consideration of the advantages mutually accruing to the parties hereto from the execution hereof, and

shall be binding upon the parties hereto, their successors and assigns.

The said company hereby grants to said city, rights of way through all land owned by said company, either legally or equitably, or controlled or possessed by it or over which it has any easement or right of way and situated in the county of Santa Barbara, California, in sections 27, 33 and 34, Township 5, North of Range 27 West, San Bernardino Base and Meridian, and the Santa Barbara Mission lands in so far as they are owned or controlled by it, on such route or routes as the said city may elect to locate, construct and maintain:

(a) A tunnel extending from a point in the N. E. $\frac{1}{4}$ of the S. E. $\frac{1}{4}$ of Sec. 33, T. 5 N., R. 27 W., S. B. M., in a northerly direction through the Santa Ynez range of mountains into the valley of the Santa Ynez river;

(b) A wagon road to connect the Santa Barbara county road in Mission canyon with the portal of said tunnel;

(c) Pipe lines, or a pipe line to convey water;

(d) Power lines, telephone and telegraph lines.

It being understood and agreed that the point of commencement of said tunnel and the location of said road and pipe line or lines shall be defined and marked on the ground within twelve months from the date hereof and that the location of said power, telephone and telegraph lines shall be defined and marked on the ground within twenty-four months from the date hereof.

It being understood and agreed that no road, or pipe line, power, telephone or telegraph line shall be so located by said city as to interfere with the use, operation, maintenance or repair of any of the water works of said company or so as to pass through or across said company's dam on Mission creek or the inclosure containing its reservoir near the Mission of Santa Barbara.

The foregoing includes the right to use such of said company's land hereafter to be limited and defined at and around the portal of said tunnel on the N. E. $\frac{1}{4}$ of the S. E. $\frac{1}{4}$, Sec. 33, T. 5 N., R. 27 W., S. B. M., as is reasonably required for a dump or dumps, sheds, tool houses, machine shops, storage, bunk and cook houses, and camp for workmen and employes; together with such land as may be required to construct said tunnel and to operate and maintain it during and after its completion; such dump or

dumps, sheds, shops, houses and camp to be so located, constructed and managed as not to obstruct the flow of water in Mission creek and its tributaries, and so as not to cause the pollution of its or their waters. And said company hereby grants and conveys to said city all of its right, title and interest, present and future, in or to all water that may seep, flow or percolate into said tunnel, or that may be developed by, or in, or carried through said tunnel, other than water impounded, stored or developed or secured by said company on its lands in the Santa Ynez valley, excepting and reserving, however, to said Santa Barbara Water company the right to the use of the water to be allowed to flow from said tunnel down the channel of Mission creek as hereinafter specified and the right to the use of all the water seeping, percolating or flowing into said tunnel from the formation through which it shall be run to an amount sufficient to maintain the flow at said company's point of diversion as hereinafter defined to the amount of twenty-two inches continuously during the first six months of each year and to the amount of fourteen inches continuously during the last six months of each year. And said company does hereby, for its successors and assigns, agree not to interfere by suit or otherwise with the maintenance of said tunnel and appurtenances, or the seepage of water thereto, except for specific violation of this agreement.

Said city hereby agrees to supply from the water coming into said tunnel from the formation into which it is driven, and not otherwise nor from any other source, through an automatic or self-regulating appliance, sufficient water to maintain the natural flow of said creek, less the quantity rightfully diverted above said company's present point of diversion, by riparian or appropriative owners, other than said city. Provided, however, that nothing in this agreement contained shall be construed to require the said city to furnish or deliver, or to release or turn out, any more water than the quantity actually obtained by said tunnel from the formation into which it is or may be driven.

Owing to the extreme difficulty of determining what is the natural flow of said Mission creek during the different seasons of the year, a flow maintained continuously at said company's point of diversion of Mission creek on the lands of the Mission of Santa Barbara, of twenty-two miner's inches during the period beginning on the first day of Jan-

uary in each year, and ending on the first day of July, in said year; and of fourteen miner's inches during the period beginning on the first day of July in each year, and ending on the first day of January of the following year, shall be taken for all purposes connected with this agreement or arising therefrom, or from the construction, maintenance or operation of said tunnel so far as the parties to this agreement are concerned, as the natural flow of said Mission creek. A "miner's inch" shall be held in this agreement to mean a flow of 12,960 gallons of water in twenty-four hours; and said point of diversion shall be deemed to be the point of discharge of the pipe at the Old Mission dam through which the water diverted from said creek is conveyed into the basin, tank or box at the head of the pipe or aqueduct for the conveyance of water to said city by said company.

Said city reserves the privilege at its option to deliver at the Old Mission dam—the present place of diversion of said company—through its own pipe the quantity of water required to maintain said natural flow.

The appropriative and riparian owners mentioned herein shall not, for the purpose of this agreement, be construed to include said city.

Said city also hereby agrees to convey for said Santa Barbara Water Company, through said tunnel when completed, any water that may be impounded, stored, developed or secured by said company on its lands in the Santa Ynez valley, to an extent not exceeding the capacity of said tunnel not used by said city in the conveyance of its own water, the charge therefor to be three cents per thousand gallons of said water so conveyed. The right of way for the conveyance of which water to the extent and on the terms above stated is hereby reserved to said company and granted to it. Settlements for said services shall be made monthly and shall be based on the amount of water so conveyed in the preceding month, and each party shall have the right to maintain a meter or meters, and other measuring appliances, at either or both portals of said tunnel, or at other places mutually agreed upon, and to inspect the same, said measuring appliances to be placed where directed by said city, and not so as to waste any water. And the said city of Santa Barbara hereby conveys to said company a right of way for a pipe or aqueduct from said company's lands in the Santa Ynez valley to the northerly

portal of said tunnel over any lands now owned or controlled or hereafter to be owned or controlled by said city, said right of way to be so located as not to interfere with the use, operation, maintenance or repair of any of the water works to be constructed on said lands by said city.

Said company also hereby waives and relinquishes any right or rights which it now has or may have to object, by suit or otherwise to the taking away of water flowing out of the mouth of said tunnel (other than water which said company may be entitled to have) and its application on lands neither riparian to said stream nor contiguous to said tunnel now owned by said city.

During the construction of said tunnel through the lands of the Santa Barbara Water Company, the water flowing therefrom shall not be unduly wasted, but all water not utilized by the City of Santa Barbara shall be turned into the creek above said company's point of diversion, and may be used by it, notwithstanding that it may be in excess of the 22 inches or the 14 inches stipulated to be maintained as the flow of the creek, at said company's said point of diversion.

Sec. 3. This ordinance, after its passage and approval, shall be published once in The Morning Press, a daily newspaper of general circulation printed, published and circulated in said city, and shall take effect immediately on its passage, approval and first publication.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 7th day of January, 1904, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, E. G. Dodge, J. Will Smith. Peter Poole and F. F. Pierce.

Noes: None.

Absent: Councilmen N. D. Smith and C. E. Lataillade.

It is hereby presented to the Mayor of said city for his approval on this 7th day of January, 1904.

[Corporate Seal]

ALFRED DAVIS,
City Clerk of said City.

Received by me this 7th day of January, 1904.

GEO. S. EDWARDS
Mayor of said City.

The foregoing ordinance is hereby approved this 7th day of January, 1904.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 457.

To Authorize Condemnation of Gibraltar and Mono Reservoir Sites.

ORDINANCE NO. 471.

To Purchase the Gibraltar and Mono Dam Sites from J. L. Washburn.

ORDINANCE NO. 485.

To Purchase Water Mains and Distributing System from James L. Barker and Others.

ORDINANCE NO. 497.

An Ordinance to Authorize the Employment and Fix the Salary of a Book Keeper and Collector of the Water Works Department of the City of Santa Barbara, California.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. The commissioners of the water works department of the City of Santa Barbara are hereby author-

ized to employ from month to month a competent person to act under their direction as book keeper and collector of the water works department of said city.

Sec. 2. Said book keeper and collector shall receive a salary of one hundred and twenty dollars per month, payable monthly, and out of said salary shall pay the compensation of all assistants required by him.

Sec. 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed; and

It is hereby ordered that this ordinance shall be published once in the Daily News, a daily newspaper of general circulation, printed, published and circulated in said city, and shall take effect and be in force immediately upon its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 19th day of January, 1905, by the following vote on roll call:

Ayes: Councilmen C. J. Garretson, C. E. Lataillade, E. G. Dodge, J. W. Smith, Peter Poole, F. F. Pierce.

Noes: None.

Absent: Councilman N. D. Smith.

It is hereby presented to the Mayor of said city for his approval on this 20th day of January, 1905.

[Seal] ALFRED DAVIS,
City Clerk of said City.

Received by me this 20th day of January, 1905.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 20th day of January, 1905.

GEO. S. EDWARDS,
Mayor of said City.

CHAPTER VI

Fire Department

ORDINANCE NO. 543.

An Ordinance to Repeal Ordinances Numbers 202 and 251 of the City of Santa Barbara, to Create the Office of Chief of the Fire Department of the City of Santa Barbara, and to Place the Fire Department of Said City Under the Control and Supervision of the Board of Fire Commissioners of Said City.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. Ordinance Number 202 of said city, entitled "Creating a fire department" and passed and approved June 19, 1890, and Ordinance Number 251 of said city entitled "Creating the office of driver of the hose wagon, prescribing his duties and fixing his compensation" and passed and approved November 3rd, 1892, are and each of them is hereby repealed.

Sec. 2. The volunteer fire department of said city, maintained pursuant to the provisions of said Ordinance Number 202, is hereby disorganized, and on the taking effect of this ordinance the Mayor of said city shall appoint a chief engineer of the fire department of said city, to hold

such office pursuant to the provisions of the charter of said city.

Sec. 3. The board of fire commissioners of said city shall forthwith take charge of the fire department of said city and the machinery, property and apparatus thereof, and shall assume the duties imposed on said board by Article IX of the charter of said city, and shall perform the duties so prescribed.

Sec. 4. The board of fire commissioners of said city shall have power to pass and enforce regulations respecting interference with fire apparatus and conduct of members of the fire department and persons not members of the fire department at fires or conflagrations, in respect to such fires or conflagrations, and shall have power to authorize members of the fire department to give orders during the times of fires or conflagrations respecting the removal of goods or property from a burning building or a building in danger of being burned, and respecting the use of all or any part of the public street adjacent to any burning building, or conflagration.

Sec. 5. This ordinance, after its passage and approval, shall be published once in the Daily News, a daily newspaper of general circulation printed, published and circulated in said city, and shall take effect and be in force on May 1st, 1906.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 15th day of March, 1906, by the following vote on roll call:

Ayes: Councilmen Wm. T. McKnight, N. D. Smith, Wm. Raffour, E. G. Dodge, J. W. Smith, Peter Poole, J. C. Haslinger.

Noes: None.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 16th day of March, 1906.

ALFRED DAVIS,
City Clerk of said City.

[Seal]

Received by me this 16th day of March, 1906.

THOMAS D. WOOD,
Mayor of said City.

The foregoing ordinance is hereby approved this 16th day of March, 1906.

THOMAS D. WOOD,
Mayor of said City.

ORDINANCE NO. 545.

An Ordinance to Prohibit the Driving Across or Upon Fire Hose, and to Prohibit the Obstruction of Fire Hydrants and Fire Cisterns, and to Punish the Violation Hereof.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. It shall be unlawful for any person to drive or propel any vehicle across or upon any fire hose in said city while such hose is in use at a fire drill, or whether in use at a fire or conflagration.

Sec. 2. It shall be unlawful for any person to obstruct any fire hydrant or fire cistern in such a manner as to conceal it from view from any point, or hinder free access thereto by members of the fire department; and it shall be unlawful for any person to construct any area or other wall or thing so as to interfere in any manner with any hydrant below the level of the curb. The constructions and obstructions in this section mentioned are hereby declared to interfere with the free use of property and to be nuisances. And in addition to punishment under the provisions of this ordinance, said city has and reserves the power by suit in a court of competent jurisdiction to abate any or all of such constructions or obstructions as public nuisances.

Sec. 3. Any person convicted of the violation of any of the provisions of this ordinance, shall be punishable by a fine of not less than five nor more than fifty dollars, or by imprisonment in the city jail not less than one nor more than ten days, or by both such fine and imprisonment.

Sec. 4. This ordinance, after its passage and approval, shall be published once in the Daily News, a daily newspa-

per of general circulation, printed, published and circulated in said city, and shall take effect and be in force immediately upon its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 15th day of March, 1906, by the following vote on roll call:

Ayes: Councilmen W. T. McKnight, N. D. Smith, Wm. Raffour, E. G. Dodge, J. W. Smith, Peter Poole, J. C. Has-singer.

Noes: None

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 16th day of March, 1906.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 16th day of March, 1906.

THOMAS D. WOOD,
Mayor of said City.

The foregoing ordinance is hereby approved this 16th day of March, 1906.

THOMAS D. WOOD,
Mayor of said City.

CHAPTER VII

Prevention of Fire

ORDINANCE NO. 428.

An Ordinance to Amend Ordinance No. 355 of Said City (as Amended by Ordinance No. 384) Entitled "An Ordinance to Establish a Fire District in the City of Santa Barbara, Determine the Character of Buildings That May Be Erected Therein and the Nature of Materials to Be Used in the Construction, Alteration or Repair of Such Buildings or in the Repair or Alteration of Existing Buildings Within Such Limits, and for the Protection From Fire and Prescribing Penalties for the Violation of Said Regulations," by Repealing Section 1 Thereof and Substituting a New Section, Thereby Establishing New Boundaries for the Said Fire District.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. An ordinance numbered 355, passed November 8th, 1900, with the title set out in the title hereof, and which ordinance was amended by Ordinance No. 384 of said city, passed October 17, 1901, is hereby amended by repealing Section 1 of said Ordinance No. 355 and by repealing said Ordinance No. 384, and by substituting as and

for Section 1 of said Ordinance No. 355 the following section:

"Section 1. There is hereby established in said city a fire district, the exterior boundaries and the limits of which are as follows:

Said district is bounded on the northeast by a line which is parallel to the middle line of State street of said city and distant 290 feet northeasterly therefrom, extending from the middle line of the Ocean Boulevard to the middle line of Sola street; bounded on the northwest by the middle line of Sola street; bounded on the southwest by a line parallel to the middle line of State street and distant 290 feet southwesterly therefrom, and extending from the middle line of the Ocean Boulevard to the middle line of Sola street of said city; bounded on the southeast by the middle line of the Ocean Boulevard; and also including the southeast 150 feet in depth of blocks numbered 323, 324, 325 and 326 of said city, as the same exist at present, said district embracing 250 feet in depth from said State street of the blocks fronting on State street between the Ocean Boulevard and Sola street; and also 150 feet in depth from the northwest line of said Ocean Boulevard to said blocks numbers 323, 324, 325 and 326 which face on said Boulevard."

This ordinance, after its passage and approval, shall be published once in The Independent, a daily newspaper of general circulation, printed and published in said city and shall take effect immediately upon its passage, approval and first publication.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 19th day of February, 1903, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, C. E. Lataillade, Wm. Ealand, J. W. Smith, H. L. Stambach, F. F. Pierce.

Noes: None.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 20th day of February, 1903.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 20th day of February, 1903.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 20th day of February, 1903.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 544.

An Ordinance to Amend Section Number 13 of Ordinance Number 355 of the City of Santa Barbara, Relating to Permits for Buildings Within the Fire District of Said City Contrary to the Provisions of the Remaining Sections of Said Ordinance Number 355.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. Ordinance Number 355 of said city, relating to a fire district and the character of buildings therein and passed November 1, 1900, is hereby amended by striking out Section Number 13 of said Ordinance Number 355, and inserting in lieu thereof a section to be numbered "13" and to read as follows:

"Section 13. This ordinance is subject in all of its provisions to any written license granted by the Council of said city, and approved by the Mayor of said city, which said license shall fully describe the character of variation from the provisions of this ordinance permitted by such license. The Council shall not have power to grant such license unless an application therefor in writing shall have been approved by a majority of the fire commissioners of said city.

"Such license shall be issued by the city clerk upon payment of a cash fee of five dollars, payable into the general fund of said city, and when issued shall be a defense to any action for violation of the provisions of this ordinance in

the particulars specified in such license, but in no other particulars."

Sec. 2. This ordinance, after its passage and approval, shall be published once in the Daily News, a daily newspaper printed, published and circulated in said city, and shall take effect and be in force immediately upon its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 15th day of March, 1906, by the following vote on roll call:

Ayes: Councilmen W. T. McKnight, N. D. Smith, Wm. Raffour, E. G. Dodge, J. W. Smith, Peter Poole, J. C. Has-singer.

Noes: None.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 16th day of March, 1906.

ALFRED DAVIS,
City Clerk of said City.

[Seal]

Received by me this 16th day of March, 1906.

THOMAS D. WOOD,
Mayor of said City.

The foregoing ordinance is hereby approved this 16th day of March, 1906.

THOMAS D. WOOD,
Mayor of said City.

CHAPTER VIII

Public Health

ORDINANCE NO. 408.

**An Ordinance to Establish Rules for the Protection of the
Public Health, Regulating the Drainage and Plumbing
of Buildings, and for the Enforcement Thereof.**

The Council of the City of Santa Barbara does ordain as follows:

Section 1. Any person or persons carrying on, conducting, assuming control of, constructing or causing to be constructed, either as owner, agent or otherwise, any plumbing or house drainage affecting the sanitary condition of any house or building within the City of Santa Barbara, shall apply to the plumbing inspector of said city for a permit to do so.

Sec. 2. All work done shall be subject to inspection, and notice must be given to the plumbing inspector. A charge of \$2.50 per building will be made and \$1.00 for every extra visit made by inspector. All work must be left uncovered and convenient for examination until inspected and approved by the said inspector. Such inspection shall be made within forty-eight hours of such notification being received at office of said inspector. All leaders, soil, waste,

air and drain pipe inside of building, before being covered up, must have all openings stopped up and filled with water. The test shall be made in the presence of said inspector.

Sec. 3. The plumbing inspector shall not issue a permit to any master plumber until said master plumber has registered and given a bond with two good and sufficient sureties, to the City of Santa Barbara, in the sum of one hundred dollars (\$100), for the faithful discharge of his duties as plumber, the said bond to be approved by the board of health.

Sec. 4. All applications for registration as master or journeyman plumber shall be made by the party desirous of being registered, and all applications shall be subscribed and sworn to by the party making said application, on blanks to be provided by the board of health. No person shall labor as a master or journeyman plumber in said city without first having registered as above set forth and passed a satisfactory examination as to his qualifications as a plumber.

Sec. 5. There shall be appointed by the board of health, to hold during its pleasure, an inspector of plumbing and drainage. He shall take and subscribe an oath that he will faithfully perform the duties of his office, and shall, before entering upon them, execute a bond to the City of Santa Barbara, in the sum of one thousand dollars (\$1,000.00), with two good and sufficient sureties, conditioned for the faithful performance of his duties as such officer, and for the benefit of persons aggrieved by his neglect. Said bond shall be approved by, and filed with the board of health. In case said plumbing inspector shall be temporarily absent from the city or incapacitated to perform official duties, he shall appoint a deputy to act for him, but he, the inspector-in-chief, shall be responsible on his bond for the acts of his deputy. No person appointed as plumbing inspector shall be interested directly or indirectly in any plumbing contract in said city other than such inspection.

Sec. 6. Every house or building in, or for, which any house drainage or plumbing arrangements are constructed shall be separately and independently connected with an accepted city sewer, when such sewer is constructed on the street or alley upon which property abuts, or on cross

streets within 225 feet of street line in which there may now or hereafter be constructed a public sewer, provided a fall of one foot in one hundred can be had, provided further that the city water service pipe or the pipes of a water company are laid in the streets where sewer pipes have been constructed. And it shall be unlawful for any person, or persons, to use or occupy any house or building in the City of Santa Barbara, in or for which any house drainage or plumbing arrangements are constructed, unless such house drainage or plumbing arrangements are connected with an accepted city sewer, when such sewer is constructed on the street or alley upon which the property abuts.

Sec. 7. Each and every cesspool shall be vented through a main stack, which must be constructed for that purpose, or by such means as may be directed by the plumbing inspector. No cesspool shall be constructed within the city limits without special permission of the board of health and written permission of the health officer, and no cesspool shall be constructed unless the sides and bottom are lined with some material impermeable to water and the top closed with a closely fitting cover properly vented. Every cesspool shall be pumped out as often as directed, either orally or in writing, by the health officer.

Sec. 8. All soil and waste pipe, to a point three feet outside of the exterior wall of the building, shall be cast-iron, not less than four inches internal diameter, and shall be carried, undiminished in size, up to and six inches above the highest point in the roof of fire walls, and shall not terminate within eight feet of any window, air shaft, or opening of any house or building, and the same shall be further removed, if the inspecting officer considers it necessary. All drains outside of the building, and to the street, sewer or cesspool, shall be first-grade vitrified iron-stone pipe, or cast-iron, internal diameter not less than four inches. Stone-ware piping shall not be allowed within two feet of the exterior wall of any building; neither shall any vitrified pipe come within twelve inches of the surface of the ground through its entire course. All vitrified pipe sections shall rest upon the natural, undisturbed earth their entire length, cutting out of the earth for the sockets. The joining of each and every section of vitrified piping must be completely and uniformly filled with the

best Portland cement, two parts of cement and one part of sand, and every joint thoroughly cleaned from the inside, so as not to form any obstruction. The different sections must be laid in perfect line on the bottom and sides, with a fall of not less than one-quarter of an inch per foot toward the street sewer or cesspool. It shall not be covered or concealed in any way until it has been properly tested and approved by the plumbing inspector. All changes in direction shall be made with curves or Y branches, and all connections with Y branches and one-eighth bends.

Sec. 9. There may be placed on the house drain and on the sewer side of all connections, a running trap. If placed outside of the building or below the cellar floor, it must be accessible in a brick or wood manhole, not less than three feet square. This trap must have two cleanouts with brass screw ferrules. A vent pipe must be connected on each side of running trap. These vent pipes must be of cast-iron, standard weight, of not less than three inches internal diameter, for four-inch drains, and be increased one inch in diameter for every increase of one inch in the house drain. The vent pipe on sewer side of running trap must be carried up to, and at least six inches above the highest part of the main roof.

Sec. 10. Every water-closet, sink, slop-hopper, bathtub, and each tray or set of wash trays, or other vessel or vessels, connected with the drain pipe, directly or indirectly, must be separately, independently and effectively trapped and vented. The trap must be placed as near the fixtures as possible, and in no case further than two feet from the fixture. All sinks in kitchens of boarding houses or hotels, accommodating more than twenty persons, shall be provided with a suitable and approved grease trap. No union coupling of any description shall be used on or in connection with concealed work. No rubber connections shall be used except on flush pipes only.

Sec. 11. All traps to fixtures shall be separately and effectively vented, and all special air pipes, within a radius of twelve feet, may converge into one pipe, the size of the same to be governed by the provisions hereof, and to extend up to, and six inches above, the highest point of the

roof, or to be conducted into the main stack, not less than three feet above the highest fixture in the system.

Waste pipes from refrigerators or other receptacles, in which provisions are stored, shall not be connected with a drain, soil pipe, or other waste pipe, unless such waste pipes are provided with trap suitably ventilated, and in every case there shall be an open tray between trap and refrigerator.

Water-closet apartments shall open into the open air, or be ventilated by means of a window, air shaft or duct.

Sec. 12. No brick, sheet metal, earthenware or chimney flue shall be used as a sewer ventilator or to ventilate any trap, drain, soil or waste pipe. Rain water leaders, or cellar drains, shall not be connected with any soil or waste pipes, except by special permission of the board of health.

Sec. 13. The plumbing inspector, in inspecting work of any and all persons carrying on, conducting, assuming control of, constructing, or causing to be constructed, any plumbing or house drainage affecting the sanitary condition of any house or building of said city, shall be governed by the following regulations, and it shall be unlawful for any person to fail, neglect or refuse to comply with the same, upon notice so to do, where work is already constructed and not in the construction of new work.

Sec. 13a. No water-closet shall be put into, or upon, any property, house or building, except those flushed by a tank containing not less than four gallons of water. Plunger closets, Philadelphia hoppers, pan closets or any other closets where the supply to the bowl is direct from the street service or building supply, are prohibited in all cases, and where such fixtures now or hereafter exist out of repair, they are hereby declared a nuisance, and shall be removed and replaced with tank water-closets.

Sec. 13b. A fixture that is a top fixture or a vertical stack, and not more than two feet from the inlet to the stack, need not have its trap reverted, provided it does not discharge into the stack below the level of its seal. All traps shall set true to their water seals.

Sec. 13c. All soil pipes shall be carried up full size up to and six inches above the highest point of the roof, and left without cowl or cap. These vents shall follow the angle

of the roof on the under side, and shall not be carried to the outer air until the highest point in the roof has been reached.

Sec. 13d. All waste pipes from second story fixtures, either directly or indirectly, must be separately vented.

Sec. 13e. All soil or waste pipes, two inches or more in diameter, must be of cast-iron, coated inside and out with tar or asphalt, or wrought-iron pipe and fittings, known as the vent pipes. All waste pipes less than two inches in diameter shall be of lead.

Sec. 13f. Before the fixtures are placed in connection with the plumbing of any house or building, or any portion of the drainage system is covered or concealed from view, the outlet of the soil pipe and all openings into it below the top shall be hermetically sealed; the pipe shall then be filled with water to the highest point in the system. Defective pipes and fittings of their different kinds, must be removed and replaced by sound material. Cement work of every description is prohibited, and every part of the work shall conform to these rules and regulations and be subject to the approval of the inspector of plumbing.

Sec. 13g. All joints in cast-iron soil pipes, whether inside the building or otherwise, shall be made with pig lead and oakum and thoroughly calked.

Sec. 13h. All vent pipes and their fittings must be either cast-iron or dipped wrought-iron of standard weight or extra heavy. All vents and extensions above the highest fixtures, if cast-iron, may be standard pipe.

Sec. 13i. All vertical stacks of soil and waste pipes shall be provided with a brass screw ferrule at the foot, and also in other places where the inspecting officer may think it necessary. Trap screw ferrules shall be of the same diameter as waste stack or lateral run. All changes of direction of soil or waste pipes shall be made with full Y branches and one-eighth bends; sanitary T's shall not be used except in perpendicular stacks. All cleanouts shall be extended to outside of walls or some convenient point satisfactory to plumbing inspector.

Sec. 13j. All connection between lead piping shall be joined by wiped joints. Connections between soil pipe and lead, or wrought-iron pipe and lead shall be made with

brass ferrules or brass solder nipples, and their joining shall be wiped. Bolted or copper bit, cup or flush soldered joints are prohibited in all cases.

Sec. 13k. Waste pipes in all cases shall be of lead, or cast-iron, in the following sizes: For bath-tubs, laundry trays, sinks, urinals, wash-basins, each not less than one and one-half inches, slophoppers not less than two inches.

Sec. 13l. All traps and vents shall be the same size as the waste, provided that if more than one fixture shall be vented. The size of such pipes shall be as follows: For more than one and not exceeding two fixtures, one and one-half inches; for more than two and not exceeding eight, two inches; for more than eight and not exceeding twelve, two and one-half inches.

Sec. 13m. Crown vent pipes from water-closets, slophoppers or slop sinks shall not be less than two inches, and where more than one water-closet, slop-hopper or slop-sink is vented through the same pipe, the sizes shall be as follows: For more than one and not exceeding four closets, slop-hoppers or slop-sinks, two inches; for more than four and not exceeding eight, two and one-half inches. Any vent pipe running in a horizontal direction shall not exceed fifteen feet in length, and shall have a fall of not less than one-quarter inch per foot.

Sec. 13n. When the water supply is not ample for proper flushing of closets, the superintendent of plumbing may, at his own discretion, order the erection of a tank cistern, into which it may be pumped.

Sec. 13o. All vents shall rise perpendicularly, to six inches above the fixtures to prevent back-water entering vents. In no case shall any fixture waste be erected in the bend of the trap.

Sec. 13p. No privy vault, cesspool, exhaust from engine or blow-off from boiler shall be connected with a house drain or sewer.

Sec. 13q. Every safe waste from basin, bath, sink, water-closet or other fixture, shall not connect with any soil pipe, waste pipe or sewer, but shall discharge into a water-supplied sink on outside of building.

Sec. 13r. Every water-closet, sink, bath-tub, basin or other fixture, maintained with any house or building, that

are of bad and defective quality, and are removed and replaced with other fixtures of their respective class, shall have their traps vented in accordance with this ordinance.

Sec. 13s. No privy vault or cesspool shall be maintained or allowed in any part of the city where a sewer exists in the street or alley upon which the property abuts.

Sec. 14. All plumbing or house drainage work to replace any that may be condemned by the board of health shall be constructed as new work, and constructed in conformity with the requirements of this ordinance; and no person or persons shall connect or cause to be connected any plumbing or house drainage work with any public sewer, unless the said plumbing and house drainage work conforms to the requirements of this ordinance.

Sec. 15. No building or other structure shall be used or occupied as a factory, laundry, tenement or lodging-house, or place in which or where human beings reside or work, unless such building is provided with one or more water-closets for every fifteen occupants, workers, employees or residents, or fraction thereof, in such building or structure. There shall be separate water-closets provided for men and women. Where vent pipes branch into one another, and where they branch into soil-pipes, the branch fittings must not be less than three feet from the floor line.

Sec. 16. When anything is prohibited in this ordinance, not only the persons actually doing the prohibited thing, but also the employees, and all other persons actively concerned therein, shall be liable, upon conviction, to the penalty prescribed.

Sec. 17. Upon the removal or alteration of any building, or the making of any addition thereto, if new plumbing fixtures are placed in such building, either in the original or altered, or added part thereof, such new fixtures must be properly connected with, and attached to, the fixtures in the original part of such building; and if the fixtures are to be reset, either in the old or new part of such building, then both such original or additional fixtures, and any altered plumbing whatever, must comply in all respects with the rules and regulations prescribed in this ordinance.

Sec. 18. Where cast-iron pipe is specified in the foregoing rules and regulations, if desired, wrought-iron pipe of standard steam thickness may be used, provided that the fittings are so constructed as to form a uniform bore with the pipe of any building. No opening shall be provided in the sewer pipe of any building for the purpose of receiving the surface drainage of the cellar unless special permission is granted; and any openings so made must be immediately and permanently closed when directed by the board of health.

Sec. 19. The board of health of said city is hereby authorized, empowered and directed to adopt the rules in this ordinance contained as and for its rules and as and for the rules mentioned and referred to in Section 1 of Ordinance No. 219 of said city, passed and approved January 15, 1891, and also as and for a portion of the rules mentioned in Section 5 of said Ordinance No. 219.

Sec. 20. Any person, firm or corporation who shall either violate or neglect or refuse to comply with the provisions of this ordinance, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five dollars (\$5.00) and not more than one hundred dollars (\$100.00), or be imprisoned in the city jail not less than one day and not more than ten days, or be both fined and imprisoned; and every day during which the work of plumbing or drainage is continued in violation of the provisions of this ordinance, shall be considered as constituting a new offense and be punishable as in this section provided.

Sec. 21. Ordinance No. 376 of said city, passed July 18, 1901, is hereby repealed.

Sec. 22. This ordinance shall, after its passage and approval, be published once in The Morning Press, a daily newspaper of general circulation, printed, published and circulated in said city, and shall take effect immediately on its approval and first publication.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 24th day of July, 1902, by the following vote on roll call:

Ayes: Councilmen N. D. Smith, C. E. Lataillade, Wm.

Ealand, J. Will Smith, George Rutherford Jr., F. F. Pierce.

Noes: None.

Absent: Councilman C. O. Garretson.

It is hereby presented to the Mayor of said city for his approval on this 25th day of July, 1902.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 25th day of July, 1902.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 25th day of July, 1902.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 415.

An Ordinance to Require Physicians and Household-ers to Report Contagious or Infectious Diseases to the City Health Officer, and to Prescribe a Penalty for the Violation Hereof.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. Every physician within this city shall report to the health officer of this city, in writing, the name, and place of residence or abode, of every patient of such physician who shall be sick, affected or attacked by or of cholera, yellow fever, small-pox, variola, chicken-pox, diphtheria, (including membranous croup), ship or typhus fever, typhoid fever, spotted fever, relapsing and scarlet fever, or measles, within six hours after such physician has prescribed for or attended such patient the first time during the affliction of such patient with such disease. Said report shall give the specific name and type of the disease or of which such patient is suffering.

Sec. 2. Each and every physician in said city shall report in writing to said city health officer the death of any pa-

tient who shall have died in said city of any of the diseases mentioned in Section 1 hereof. Said report shall be made within six hours after such physician acquires knowledge of such death and shall specify the name, abode and sex of the decedent and the specific name and type of the disease of which such patient died.

Sec. 3. Every householder in said city shall forthwith report to the said city health officer in writing the name of every person (boarding, resident or inmate), at his or her house who is suffering or sick of or from any of the diseases mentioned in Section 1 hereof, which report shall state the name of the disease with which such sick person is suffering.

Sec. 4. The word "householder" in the preceding section shall include boarding-house keepers, lodging-house keepers, inn keepers, hotel keepers and persons in charge or control of any public or private school or institution.

Sec. 5. Any person violating any of the provisions of of this ordinance shall be punishable upon conviction with a fine of not less than \$25.00 and not more than \$100.00, or by imprisonment not exceeding ten days, or by both such fine and imprisonment.

Sec. 6. All ordinances and parts of ordinances in conflict herewith are hereby repealed, and it is hereby ordered that this ordinance after its passage and approval shall be published once in The Morning Press, a daily newspaper of general circulation printed, published and circulated in said city, and shall take effect immediately on its passage, approval and first publication.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 2nd day of October, 1902, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, C. E. Lataillade, Wm. Ealand, J. Will Smith, Geo. Rutherford Jr., F. F. Pierce.

Noes: None.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 3d day of October, 1902.

ALFRED DAVIS,
City Clerk of said City.

[Seal]

Received by me this 3d day of October, 1902.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 3d day of October, 1902.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 426.

An Ordinance to Require Burial Permits, Certificates of Cause of Death and Permit to Transport Corpses Through the Streets of Santa Barbara; to Provide for the Issuance of Such Permits and Certificates; and to Punish the Violation Thereof.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. No person shall deposit in any cemetery the body of a human being who has died within the City of Santa Barbara, nor shall any person remove the body of any human being who has died within said city from within the limits of said city, without having first obtained and filed with the health officer, a certificate signed by a regularly practicing physician, or the coroner of said county, setting forth as clearly as possible, the name, age, sex, color, place of birth, occupation, and date, locality and cause of death of the deceased, nor without first obtaining from the said health officer a permit in writing for said burial or removal.

Sec. 2. Any physician in said city, in whose practice a death occurs, must give the certificates mentioned in Section 1 immediately upon demand therefor, unless said physician believes the death to be a proper case for investigation by the coroner of said county.

Sec. 3. No body of a human being who has died within the limits of said city, and no body or remains of a de-

ceased person exhumed from any grave, vault or other place of burial, or deposited within or without said city, shall be transported in or through the streets or highways of said city, unless the person or persons transporting such body or remains shall first obtain from said health officer a permit in writing for such transportation, which permit shall accompany such body or remains.

Sec. 4. The city health officer shall keep his office open at all times from 10 to 11 o'clock a. m. for the purpose of signing burial permits above referred to.

Sec. 5. Violation of any of the provisions of Sections 1, 2 or 3 of this ordinance, shall be punishable by a fine of not less than ten nor more than one hundred dollars, or by imprisonment in the city jail not exceeding ten days, or by both such fine and imprisonment.

Sec. 6. This ordinance, after its passage and approval, shall be published once in the Daily News, a daily newspaper of general circulation, printed and published in said city, and shall take effect immediately upon its passage, approval and first publication.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 5th day of February, 1903, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, C. E. Lataillade, William Ealand, J. W. Smith, H. L. Stambach and F. F. Pierce.

Noes: None.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 6th day of February, 1903.

ALFRED DAVIS,
Clerk of said City.

[Seal]

Received by me this 6th day of February, 1903.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 6th day of February, 1903.

GEO. S. EDWARDS,
Mayor of said City.

CHAPTER IX

Park Commission

ORDINANCE NO. 436.

An Ordinance to Place the Ocean Boulevard and the Eastern Extension Thereof in the City of Santa Barbara Under the Supervision and Direction of the Park Commission of Said City.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. The Ocean Boulevard in said City of Santa Barbara and the eastern extension of said boulevard east of State street of said city are hereby placed under the control, charge and supervision of the park commission of the City of Santa Barbara; provided, however, that nothing herein contained shall abridge the right or duty of the Council of said city to expend the moneys raised by the bond issue for the purpose designated as "Ocean Boulevard" in Ordinance No. 432 of said city in the manner provided by law.

Sec. 2. This ordinance after its passage and approval shall be published once in The Independent, a daily newspaper of general circulation printed, published and circulated in said city, and said ordinance shall take effect and be in force immediately after its passage, approval and first publication.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 18th day of June, 1903, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, C. E. Lataillade, Wm. Ealand, J. W. Smith, H. L. Stambach, F. F. Pierce.

Noes: None.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 19th day of June, 1903.

ALFRED DAVIS,
Clerk of said City.

Received by me this 19th day of June, 1903.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 19th day of June, 1903.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 439.

An Ordinance to Create a Park Commission of the City of Santa Barbara, and to Prescribe the Method of Appointment, the Terms, Duties and Compensation of the Members Thereof.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. There is hereby created a park commission of the City of Santa Barbara, California, which shall consist of five members, each of whom shall be a citizen of the United States, and shall at the time of his or her appointment have been a resident of the City of Santa Barbara for one year next preceding his or her appointment, and each of whom shall during his or her term of office be a resident of the City of Santa Barbara.

Each of said commissioners shall serve without compensation.

Sec. 2. The term of office of each of the members of said commission shall be five years next succeeding the date of his or her appointment, or until his or her successor is appointed and qualifies; provided, however, that in the first appointments of the said commission the terms of the commissioners shall be for one, two, three, four and five years respectively, to be designated in the notices of appointment by the Mayor.

The Mayor of said city shall appoint said commissioners, each of whom shall be styled "Park Commissioner of the City of Santa Barbara."

Sec. 3. Said park commission shall be in charge of and have supervision over all of the parks and plazas of said city, excepting the Plaza De la Guerra, and also of the Ocean Boulevard of said city, and the eastern extension thereof, and of all lands hereafter to be acquired by said city for park or boulevard purposes, and shall have charge of all improvements of such parks and boulevards.

Sec. 4. No employee of said park commissioners shall be employed for a longer period than from month to month.

Sec. 5. There is hereby created an additional fund of said city to be kept as such on the books of said city and to be designated as the "Park Improvement Fund." All demands against said fund shall be audited in the manner prescribed by law for demands against the general fund of said city, provided, however, that each demand against said fund must be presented to said park commission in writing and by it either approved or disapproved in whole or in part by an indorsement of a majority of the members of said commission or by the president or secretary thereof.

Provided, also, that if said commission for a period of ten days after such presentation refuse or neglect to take action on a demand so presented to it and to indorse the result of such action thereon, said demand, after the expiration of said period from presentation, may be presented to the said Council and the claimant, or some person in his behalf, shall make affidavit and attach the same to said de-

mand, which affidavit shall show the reason why said demand bears no indorsement of the action of said commission thereon.

Sec. 6. Said commission shall at its first meeting after its appointment, and annually at its first meeting in January thereafter, select one of its members as president of said commission, and another of its members as secretary of said commission, and a majority of the members of said commission shall certify in writing to the fact of such election and such certificate shall be filed with the city clerk of said city.

Said commission shall hold regular meetings at least once each month.

Sec. 7. Nothing in this ordinance contained shall abridge or take away any duty imposed by law upon the Council of said city in the distribution of public moneys into funds or in the disbursements of such funds, nor shall this ordinance abridge or take away any duty imposed upon the Council of the City of Santa Barbara by law touching the expenditure of moneys raised by any bond issue or bond issues now or hereafter authorized for the purpose of park or boulevard improvement.

Sec. 8. Ordinance No. 401 of the City of Santa Barbara is hereby repealed; and it is hereby ordered that this ordinance, after its passage and approval, shall be published once in The Independent, a daily newspaper of general circulation, printed, published and circulated in said city, and shall take effect and be in force immediately after its passage, approval and first publication.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 23d day of July, 1903, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, C. E. Lataillade, Wm. Ealand, J. W. Smith, H. L. Stambach.

Noes: None.

Absent: Councilman F. F. Pierce.

It is hereby presented to the Mayor of said city for his approval on this 24th day of July, 1903.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 24th day of July, 1903.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 27th day of July, 1903.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 448.

To Authorize Condemnation of Waterfront Property for a Public Park. (Properties of Santa Barbara Lumber Company, C. A. Storke and H. J. Finger.)

ORDINANCE NO. 450.

To Authorize Condemnation of Lands Between Eastern Boulevard and the Ocean, for Park Purposes.

ORDINANCE NO. 451.

An Ordinance of the City of Santa Barbara, California, Dedicating to Public Use as a Public Park, Certain Lands Owned by It and Situated in Said City Between the South Line of the Eastern Extension of the Ocean Boulevard in Said City and Mean High-water Mark of the Pacific Ocean.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. Whereas, the City of Santa Barbara is the owner and in possession of those certain tracts or parcels of land situated in said city and described as follows:

Tract No. 1. All that certain piece or parcel of land described as follows: Bounded on the west by the southwest line of Santa Barbara street of said city as prolonged in a southeasterly direction; bounded on the south by the mean high-water mark of the Pacific ocean; bounded on the east by the southwest line of Canal street of said city as prolonged in a southeasterly direction; bounded on the north by a line distant northerly one hundred feet from, and parallel with, said mean high-water mark of the Pacific ocean.

Tract No. 2. All that certain piece or parcel of land described as follows: Bounded on the west by the northwest line of Indio Muerto street prolonged in a southwesterly direction; bounded on the south by mean high-water mark of the Pacific ocean; bounded on the east by the northeast line of Salspuedes street as prolonged in a southeasterly direction; bounded on the north by the south line of the present eastern extension of the Ocean Boulevard of said city as known, used and traveled.

Tract No. 3. All that certain piece or parcel of land described as follows: Bounded on the west by the southwest line of Quarantina street of said city as prolonged in a southeasterly direction; bounded on the south by mean high-water mark of the Pacific ocean; bounded on the east by the northeast line of said Quarantina street as prolonged in a southeasterly direction; bounded on the north by the south line of the eastern extension of the Ocean Boulevard of said city as the same is now known, used and traveled.

Sec. 2. Said city does hereby irrevocably dedicate said parcels of land, and each of them, to be used as a public park.

Sec. 3. This ordinance, after its passage and approval, shall be published once in The Independent, a daily newspaper of general circulation, printed, published and circulated in said city, and shall take effect and be in force immediately upon its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the

City of Santa Barbara, and was finally passed this 9th day of October, 1903, by the following vote on roll call:

Ayes: Councilmen N. D. Smith, C. E. Lataillade, Wm. Ealand, J. Will Smith, H. L. Stambach.

Noes: None.

Absent: Councilmen C. O. Garretson, F. F. Pierce.

It is hereby presented to the Mayor of said city for his approval on this 10th day of October, 1903.

[Seal] ALFRED DAVIS,
City Clerk of said City.

Received by me this 10th day of October, 1903.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 10th day of October, 1903.

GEO. S. EDWARDS,
Mayor of said City.

CHAPTER X

Miscellaneous Penal Ordinances

ORDINANCE NO. 370.

An Ordinance to Prohibit the Offering or Exposing for Sale Lottery Tickets, or Soliciting Any Person to Buy or Re- ceive the Same, Within the City of Santa Barbara.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. Every person who at any place within the City of Santa Barbara offers or exposes for sale, or offers to give or in any manner whatever to furnish or transfer to or for any other person, or solicits any other person to accept, receive, buy or take, any ticket, share, or interest or any paper certificate or instrument purporting to be, or represented to be, or understood to be, or to represent any ticket, share, chance or interest in, or depending upon the event of any lottery is guilty of a misdemeanor.

Sec. 2. Every person who aids, abets, assists or induces any other person, by any words, acts or means whatever to commit any of the offenses mentioned in Section 1 hereof is guilty of a misdemeanor

Sec. 3. Every person who has in his possession or under his control any ticket, chance, share or interest, in or de-

pending upon, the event of any lottery, is guilty of a misdemeanor.

Sec. 4. Every person upon conviction of any offense mentioned in this ordinance shall be fined not less than \$10 nor more than \$50 for the first offense or imprisoned in the city prison not less than one nor more than ten days; and for a second or any subsequent offense he shall be fined not less than \$50 nor more than \$100 and imprisoned in the city prison not less than five nor more than ten days.

Sec. 5. This ordinance shall take effect and be in force from and after its passage, approval and first publication, and it is hereby directed to be published once in the Daily News, a newspaper published in this city.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the city of Santa Barbara, and was finally passed this 2nd day of May, 1901, by the following vote on roll call:

Ayes: Councilmen J. B. Wentling, N. D. Smith, C. E. Lataillade, J. L. Hurlbut, J. T. Crane, Chas. Weile.

Noes: None.

Absent: Councilman Marion Lloyd.

It is hereby presented to the Mayor of said city for his approval on this 3d day of May, 1901.

[Seal] ALFRED DAVIS,
City Clerk of said City.

Received by me this 3d day of May, 1901.

C. A. STORKE,
Mayor of said City.

Office of the City Clerk
Santa Barbara, May 16th, 1901.

I hereby certify that the foregoing ordinance was presented to C. A. Storke, Mayor of said city, for his approval on May 3d, 1901, that it was by him held for ten days, Sundays excepted, and was returned this day to me by him without approval or disapproval and therefore, under the provisions of Section 36 of the Charter of said city, said ordinance takes effect as if the same had been approved.

[Seal] ALFRED DAVIS,
City Clerk of said City.

ORDINANCE NO. 374.

An Ordinance to Prohibit the Selling or Furnishing of Liquors Under Retail or Restaurant Liquor Licenses Within Two Hundred Twenty-five Feet of the Free Public Library Building in Said City, or Any Municipal Building Used for School or Educational Purposes.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. No person shall, as principal, agent, servant or employee, sell, furnish or cause to be sold or furnished, any vinous, spirituous or malt liquors under any license of said city for the selling of liquors at retail, or for the sale of liquors under a restaurant liquor license, within two hundred twenty-five feet of the building in said city known and used as the Free Public Library building, or any municipal building used for school or educational purposes.

Sec. 2. Any person who shall violate any of the provisions of this ordinance shall upon conviction thereof be fined not less than fifty nor more than two hundred dollars or be imprisoned in the city jail not less than five nor more than ten days, for each offense.

Sec. 3. No retail liquor license or restaurant liquor license hereafter issued by said city shall authorize or be a defense to any violation of this ordinance.

Sec. 4. This ordinance, after its passage and approval, shall be published once in The Independent, a daily newspaper of general circulation, printed, published and circulated in said city and shall take effect immediately on its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 20th day of June, 1901, by the following vote on roll call:

Ayes: Councilmen Jo. B. Wentling, N. D. Smith, C. E.

Lataillade, J. L. Hurlbut, Marion Lloyd, J. T. Crane, Chas. Weile.

Noes: None.

Absent: None.

It is hereby presented to the Mayor of said city for his approval on this 21st day of June, 1901.

ALFRED DAVIS,
City Clerk of said City.

[Seal]

Received by me this 21st day of June, 1901.

C. A. STORKE,
Mayor of said City.

The foregoing ordinance is hereby approved this 22nd day of June, 1901.

C. A. STORKE,
Mayor of said City.

ORDINANCE NO. 407.

An Ordinance to Regulate Runners and Solicitors for Railroads, Steamboats, Taverns and Hotels, and Solicitors for Baggage and Luggage.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. It shall be a misdemeanor for any person to act as a runner or solicitor for any railroad, steamship, tavern or hotel (whether the same be situated in or out of said city) or to solicit for baggage or luggage, on any public street of the City of Santa Barbara, within twenty feet of any steam railway track or passenger wharf, or to tender, offer or distribute to any person within such distance from a steam railway track or passenger wharf, any card or cards, hand bill or hand-bills, or advertising device, advertising or calling attention to any railroad, steamship, tavern or hotel (whether the same be situated in or out of said city).

Sec. 2. Violation of any of the provisions of this ordinance shall be punishable by fine not less than five dollars nor more than fifty dollars, or by imprisonment not less than one day nor more than ten days, or by both such fine and imprisonment.

Sec. 3. This ordinance shall, after its passage and approval, be published once in The Independent, a daily newspaper of general circulation, printed, published and circulated in said city, and shall take effect immediately on its passage, approval and first publication.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 17th day of July, 1902, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, C. E. Lataillade, Wm. Ealand, J. Will Smith, Geo. Rutherford Jr., F. F. Pierce.

Noes: None.

Absent: Councilman N. D. Smith.

It is hereby presented to the Mayor of said city for his approval on this 18th day of July, 1902.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 18th day of July, 1902.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 18th day of July, 1902.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 462.

An Ordinance to Regulate the Keeping of Registers by the Owners, Keepers or Proprietors of Lodging Houses, Rooming Houses and Hotels in the City of Santa Barbara, and to Punish the Violation Hereof.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. That every owner, keeper or proprietor of any lodging house, rooming house, or hotel in said City of Santa Barbara, shall, from and after the adoption of this ordinance, keep a register wherein he shall require all guests, roomers or lodgers to inscribe their names upon their procuring lodging or a room or rooms, or accommodations in such lodging house, or rooming house or hotel. The said register shall also show the time when said name was inscribed, meaning the day of the month and year, also the room or rooms occupied or to be occupied by said lodger, or roomer or guest in such lodging house or rooming house or hotel. Said register shall be kept in a conspicuous place in said lodging house, rooming house or hotel, and shall at all times be open for inspection by the lodgers, roomers, or guests of said lodging house, rooming house or hotel, and to the chief of police and any regular policeman of said City of Santa Barbara.

Sec. 2. That before furnishing any lodging for hire to any person in any lodging house, or before renting any room to any person or persons in any rooming house, or before furnishing any accommodations to any guest at any hotel in the City of Santa Barbara, the proprietor, manager or owner thereof shall require the person to whom such lodgings are furnished, or room is rented, or accommodations furnished, to inscribe his name in such register kept for that purpose as hereinbefore provided, and shall set opposite said name the time when said name was so inscribed, and also the room or rooms occupied by such lodger, roomer or guest.

Sec. 3. Any violation of this ordinance shall constitute a misdemeanor and shall be punishable by a fine not to exceed one hundred (\$100.00) dollars, or by imprisonment in the city jail of said City of Santa Barbara, and not to exceed ten (10) days, or by both such fine and imprisonment.

Sec. 4. This ordinance, after its passage and approval, shall be published once in the Daily News, a daily newspaper of general circulation, printed, published and circulated in said city, and shall take effect and be in force

immediately upon its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 17th day of March, 1904, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, E. G. Dodge, J. W. Smith, Peter Poole, F. F. Pierce.

Noes: None.

Absent: Councilman C. E. Lataillade.

It is hereby presented to the Mayor of said city for his approval on this 18th day of March, 1904.

[Seal] ALFRED DAVIS,
City Clerk of said City.

Received by me this 18th day of March, 1904.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 18th day of March, 1904.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 491.

An Ordinance to Regulate the Erection, Establishment and Maintenance of Public Livery Stables.

The Council of the City of Santa Barbara, State of California, do ordain as follows:

Section 1. No person, firm or corporation shall erect, establish or maintain in said city any livery stable where horses are kept or rented for hire, within 75 feet of any building used for residence purposes by any person or persons, without first obtaining the consent in writing of the owner of such building used for residence purposes to such erection, establishment or maintenance. Provided that

this section shall not apply to livery stables now erected or established, or those which may be hereafter erected or established not in violation of any of the provisions of this ordinance, or for which building permits have already been issued.

Sec. 2. Violation of the provisions hereof shall be punishable by a fine of not less than \$25.00, nor more than \$100.00, or by imprisonment in the city jail for not less than one day nor more than ten days, or by both such fine and imprisonment.

Provided, however, that for the offense of maintaining a stable contrary to the provisions of Section 1 hereof each day's unlawful maintenance shall constitute a separate violation of this ordinance.

Sec. 3. This ordinance after its passage and approval shall be published once in The Independent, a daily newspaper of general circulation printed, published and circulated in said city, and shall take effect immediately after such publication.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 15th day of September, 1904, by the following vote on roll call:

Ayes: Councilmen N. D. Smith, E. G. Dodge, J. W. Smith, Peter Poole, F. F. Pierce.

Noes: None.

Absent: Councilmen C. O. Garretson, C. E. Lataillade.

It is hereby presented to the Mayor of said city for his approval on this 16th day of September, 1904.

ALFRED DAVIS,
City Clerk of said City.

Received by me this 16th day of September, 1904.

N. D. SMITH,
President of Council and Acting Mayor of said City.

The foregoing ordinance is hereby approved this 16th day of September, 1904.

N. D. SMITH,
President of Council and Acting Mayor of said City.

ORDINANCE NO. 498.

An Ordinance to Regulate the Hauling of Sand from the Ocean Beach in the City of Santa Barbara, in Front of the Ocean Boulevard and Eastern Extension Thereof; and to Punish the Violation Hereof.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. No person shall take or haul any sand from the ocean beach of said city between the Plaza del Mar and the intersection of State street of said city with said ocean beach.

Sec. 2. No person shall take or haul any sand for any purpose whatever from any real property that may now or hereafter be owned by said city, between the intersection of State street of said city with the ocean beach and the lands of Mrs. Lee Eleanor Graham, which lands are commonly called and known as "Booth's Point," and south of the eastern extension of the Ocean Boulevard of said city and north of mean high-water mark of the Pacific ocean.

Sec. 3. No person shall take or haul any sand from south of mean high-water mark of the Pacific ocean and between the intersection of State street of said city with said mean high-water mark and the lands of Mrs. Lee Eleanor Graham, which lands are commonly known as "Booth's Point" and use or furnish all or any sand for purposes of filling or grading any street or portion of street or any lots or lands.

Sec. 4. The violation of any of the provisions of this ordinance, whether as principal, agent, servant or employee, shall, upon conviction thereof, be punishable by a fine of not less than ten dollars, nor more than fifty dollars, or by imprisonment in the city jail for not less than one nor more than ten days, or by both such fine and imprisonment.

Sec. 5. This ordinance, after its passage and approval, shall be published once in the Daily News, a daily newspaper of general circulation printed, published and circu-

lated in said city, and shall take effect and be in force immediately upon its passage, approval and publication as ordain as follows:

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 19th day of January, 1905, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, C. E. Lataillade, E. G. Dodge, J. W. Smith, F. F. Pierce.

Noes: Peter Poole.

Absent: Councilman N. D. Smith.

It is hereby presented to the Mayor of said city for his approval on this 20th day of January, 1905.

ALFRED DAVIS,
City Clerk of said City.

[Seal]

Received by me this 20th day of January, 1905.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 20th day of January, 1905.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 512.

An Ordinance to Prohibit the Use of Petroleum, Crude Oil, Hydrocarbon Oil and Products Thereof in the City of Santa Barbara, in Such Manner as to Allow the Escape of Soot or Dense Smoke; to Declare Such Use a Nuisance, and to Punish the Violation Hereof.

The Council of the City of Santa Barbara, California, do ordain as follows:

Section 1. The use within said city of petroleum, crude oil, hydro-carbon oil or any product thereof, for fuel in

any stove, furnace or fireplace connected with any chimney, flue or smoke stack, in such manner as to allow or cause the escape of soot or dense smoke from such chimney, flue or smoke stack into the open air, is hereby declared to be a public nuisance.

Sec. 2. It shall be unlawful for any person, firm or corporation to use or permit to be used by any agent, servant or employe of such person, firm or corporation, petroleum, crude oil, hydro-carbon oil or any products thereof, for fuel in any stove, furnace or fireplace connected with any chimney, flue or smoke stack, in such manner as to allow or cause the escape of soot or dense smoke from such chimney, flue or smoke stack into the open air.

Sec. 3. Violation of the provisions of this ordinance shall be punishable by a fine of not less than one nor more than one hundred dollars, or by imprisonment in the city jail for not less than one nor more than ten days, or by both such fine and imprisonment.

Sec. 4. Each and every day whereon such dense smoke shall be allowed or caused to escape shall constitute a separate offense under this ordinance.

Sec. 5. This ordinance, after its passage and approval, shall be published once in the Daily News, a daily newspaper of general circulation, printed, published and circulated in said city, and shall take effect and be in force immediately upon such passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 27th day of July, 1905, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, E. G. Dodge, C. E. Lataillade, J. Will Smith, Peter Poole and F. F. Pierce.

Noes: None.

Absent: Councilman N. D. Smith.

It is hereby presented to the Mayor of said city for his approval on this 28th day of July, 1905.

[Seal]

ALFRED DAVIS,
City Clerk of said City.

Received by me this 28th day of July, 1905.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 28th day of July, 1905.

GEO. S. EDWARDS,
Mayor of said City.

ORDINANCE NO. 518.

An Ordinance to Prohibit the Establishment and Conducting of Mechanical Rock-crushers in the City of Santa Barbara, Within One Hundred and Fifty Feet of Any Church, School House, Residence or Dwelling House; and to Punish the Violation Hereof.

The Council of the City of Santa Barbara, California, do aforesaid.

Section 1. The establishment and conducting within said city of any mechanical rock-crusher within a distance of one hundred and fifty feet of any church, school house, residence or dwelling house is hereby declared to be a public nuisance.

Sec. 2. No person, firm or corporation shall establish or conduct, within said city, within one hundred and fifty feet of any church, school house or residence or dwelling house, any mechanical rock-crusher without the written consent of the owner of the real property on which said church, school house, residence or dwelling house is situated.

Sec. 3. Violation of the provisions of this ordinance shall be punishable by a fine of not less than ten nor more than one hundred dollars, or by imprisonment in the city jail for not less than one nor more than ten days, or by both such fine and imprisonment.

Sec. 4. Each day upon which any mechanical rock-crusher shall be conducted shall constitute a separate offense under this ordinance.

Sec. 5. If any such mechanical rock-crusher shall be already established and actually in operation, and is not within one hundred and fifty feet of any church, school house or residence or dwelling house, the building or erection thereafter of any church, school house, residence or dwelling house within such prohibited limit, shall not subject the owner or person responsible for the conduct of such rock-crusher to the penalties provided herein.

Sec. 6. This ordinance, after its passage and approval, shall be published once in the Daily News, a daily newspaper printed, published and circulated in said city, and shall take effect and be in force immediately upon its passage, approval and publication as aforesaid.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 7th day of September, 1905, by the following vote on roll call:

Ayes: Councilmen C. O. Garretson, N. D. Smith, E. G. Dodge, J. Will Smith, Peter Poole and F. F. Pierce.

Noes: None.

Absent: Councilman C. E. Lataillade.

It is hereby presented to the Mayor of said city for his approval on this 8th day of September, 1905.

[Seal] ALFRED DAVIS,
City Clerk of said City.

Received by me this 8th day of September, 1905.

GEO. S. EDWARDS,
Mayor of said City.

The foregoing ordinance is hereby approved this 8th day of September, 1905.

GEO. S. EDWARDS,
Mayor of said City.

CHAPTER XI

Ordinances Granting Franchises

ORDINANCE NO. 368.

To grant an oil tank permit to the Standard Oil Company.

ORDINANCE NO. 381.

To grant building permit to W. H. Woodbridge.

ORDINANCE NO. 423.

To grant a 50-year street railway franchise to Santa Barbara Consolidated Railway Company along Victoria street from Chapala street to Rancheria street; along Bath street from Victoria street to Sola street.

ORDINANCE NO. 444.

To grant telephone franchise to F. F. Graves (Home Telephone Company is now assignee thereof).

ORDINANCE NO. 458.

To grant a street railway franchise on the Eastern boulevard to F. E. Miller.

ORDINANCE NO. 459.

To grant a street railway franchise in the First Ward (beginning at Haley and Quarantina streets and thence westward) to F. E. Miller.

ORDINANCE NO. 494.

Granting to the Southern Pacific Railroad Company, a Railroad Corporation, and to Its Successors and Assigns, a Right of Way for, and the Right to Construct, Maintain and Operate a Single or Double Track Railroad, Together With All Necessary Branches, Side-tracks, Turn-outs, Switches and Spur-tracks, Along, Upon and Across Certain Streets, Avenues, Alleys, Places and Properties in the City of Santa Barbara.

The Council of the City of Santa Barbara do ordain as follows:

Section 1. The right of way is hereby granted unto the Southern Pacific Railroad Company, a railroad corporation, incorporated and consolidated under the laws of the state of California and of the territories of Arizona and New Mexico, and to its successors and assigns, along, upon and across the streets, avenues, alleys, places and properties hereinafter named and described, for railroad purposes, as hereinafter set forth, and to that end the said Southern Pacific Railroad Company, its successors and assigns, are hereby granted the right to construct, maintain and oper-

ate, by means of steam or other power, authorized by law, a single or double track railroad of standard gauge, to wit: Of a gauge of four feet eight and one-half inches along, upon and across said streets, avenues, alleys, places and properties upon the route of and traversed by said railroad, and upon, along and across the properties of said Southern Pacific Railroad Company, and of its successors and assigns, together with the right to construct, maintain and operate all necessary branches, side-tracks, turn-outs, switches and spur-tracks, and to connect any or all of such tracks with the main line of said railroad, as hereinafter set forth.

The said railroad, the right of way for which and the right to construct, maintain and operate which are hereby granted, commences at a point on and connecting with the present operated main line of the Southern Pacific Railroad in block number 364 in the City of Santa Barbara, State of California, and runs thence in a general south-westerly direction to a point on and connecting with the said operated line of said railroad on Rancheria street, northwest of Haley street, crossing the following named streets, avenues and alleys, to wit:

Crossing Punta Gorda street, between Voluntario street and Alisos street;

Crossing Alisos street, between Punta Gorta street and Indio Muerto street;

Crossing Milpas street, between Punta Gorda street and Indio Muerto street;

Crossing Indio Muerto street, between Milpas street and Nopal street;

Crossing Nopal street, between Indio Muerto street and Cacique street;

Crossing Quarantina street, between Indio Muerto street and Cacique street;

Crossing Cacique street, between Quarantina street and Salsipuedos street;

Crossing Salsipuedos street, between Cacique street and Carpentaria street;

Crossing Carpentaria street, near the intersection of Carpentaria street and Canal street;

Crossing Canal street, near the intersection of Canal street and Carpentaria street;

Crossing Laguna street, between Carpentaria street and Quinientos street;

Crossing Quinientos street, between Laguna street and Garden street;

Crossing Garden street, between Quinientos street and Mason street, near the intersection of Garden street and Quinientos street;

Crossing Santa Barbara street, between Quinientos street and Mason street;

Crossing Mason street, between Santa Barbara street and Anacapa street;

Crossing Anacapa street, between Mason street and Yanonali street;

Crossing Helena avenue, between Mason street and Yanonali street;

Crossing State street, between Yanonali street and Mason street;

Crossing Yanonali street, between State street and Chapala street;

Crossing Chapala street, between Yanonali street and Montecito street;

Crossing De la Vina street at or near its intersection with Montecito street;

Crossing Montecito street, between De la Vina street and Bath street, near the intersection of Montecito street and De la Vina street;

Crossing Bath street, between Montecito street and Gutierrez street;

Crossing Gutierrez street, between Bath street and Castillo street, near the intersection of Castillo street and Gutierrez street;

Crossing Castillo street, between Gutierrez street and Haley street, near the intersection of Castillo street and Gutierrez street;

Crossing Haley street, between Castillo street and Rancheria street, near the intersection of Haley street and Rancheria street;

And crossing all intermediate streets, avenues, alleys and places which are not hereinbefore mentioned between the streets first and last heretofore described, or which may be hereafter opened to public use between the said first and last named streets heretofore described; Provided that all tracks, turnouts, switches and spur-tracks laid under the provisions of this ordinance, other than the spur into the Potter Hotel grounds hereinafter mentioned, shall, wherever they may cross Santa Barbara street, or any

street west of Santa Barbara street, be located wholly within a distance of fifty feet from the center line of said railroad to be located as aforesaid, and that east of Santa Barbara street no track, turnout, switch, or spur-track shall be constructed or located beyond the distance of fifty feet from said center line, unless upon land owned by said railroad company or upon streets or parts of streets wholly between lands owned by said company, and provided that not more than two tracks in all shall be constructed or laid upon State street; it being further understood that the center line of railroad as above or hereinafter mentioned is intended to describe the line to be located as aforesaid, as the middle line between the double tracks provided for in this ordinance, and that this ordinance shall be construed as conferring upon said Southern Pacific Railroad Company, its successors and assigns, the right to lay, maintain and operate a spur-track diverging from its railroad track or tracks in block 271 of said city and crossing Montecito street, between De la Vina street and Bath street into the grounds of the Potter Hotel Company.

Sec. 2. Said Southern Pacific Railroad Company, its successors and assigns, shall keep in repair, between all the tracks, side-tracks, turnouts, switches and spur-tracks and for the distance of two feet upon each side of the same, beyond the exterior lines thereof, all streets occupied or used by it, or them, under and pursuant to this ordinance, it being understood that "keeping in repair," within the meaning of this ordinance, shall be construed as meaning the keeping in repair of such area with the same material and in the same manner as applied by or under the authority of said city upon adjacent portions of said streets so to be kept in repair.

Sec. 3. The railroad hereby authorized to be constructed, maintained and operated shall be so constructed as to conform to the official grades of the streets, avenues and alleys, which it may run upon or cross, where such official grades shall have been established prior to the construction of said railroad, as nearly as is consistent with the establishment and maintenance of an advantageous and uniform grade for the tracks of said railroad and passage ways for water where said tracks cross the gutters of said streets; provided that the grade of said tracks, at the top of the rails, where the same may cross State street, shall not be more than one and one-tenth 1(.10) feet above

the present grade of said street, and that the grade of said tracks, at any street crossing east of State street, shall not exceed one and seventy-two one-hundredths (1.72) feet above the grade of the street, and at any street-crossing west of State street shall not exceed two and one-tenth feet above the present grade of the street, excepting at the crossing of Haley street, between Rancheria street and Castillo street, where the grade of the tracks may be established at not exceeding four and one-quarter feet above the present grade of the street, to conform to the grade of the tracks of said railroad in Rancheria street, and provided further that wherever the grade of said tracks shall be raised above the level of any street as aforesaid the said railroad company shall properly grade the said street for its whole width on both sides of said tracks and between them so as to make an easy approach to and crossing of the same.

Sec. 4. . In the operation of said railroad upon the tracks, branches, side-tracks, turnouts, switches or spur-tracks provided for in this ordinance no cars or engines shall be allowed to stand upon State street so as to obstruct the free passage of said street by street cars, vehicles or pedestrians.

Nothing in this ordinance shall be construed as impairing the right of the city of Santa Barbara to:

(a) Require gates and other means of protection to persons and property at any or all of the grade street crossings on the proposed new line and require all crossings and approaches thereto to be graded and made safe and convenient for passage and crossing.

(b) To make any future rules or regulations, by ordinance, covering the stopping of engines or cars, or the unloading of passengers or freight on any street crossing or crossings.

(c) Require observance of any regulations of the speed of engines or trains along or across any street or streets in the city.

(d) Require observance of any regulation or regulations established by the Council, by ordinance, concerning the ringing of bells or blowing of whistles within the city; provided, however, that these regulations shall not conflict with any provisions of general law now in force or hereafter adopted;

All of which rights are hereby expressly reserved to said city and its successors.

Sec. 5. The term of the grant hereby made shall be fifty years from and after the passage of this ordinance.

Sec. 6. This ordinance shall take effect upon its passage, approval and publication, and the acceptance by said Southern Pacific Railroad Company of the franchise hereby granted, with all the provisions and conditions hereinabove expressed, which acceptance if made shall be executed in writing under the seal of said railroad corporation and shall be delivered to the Mayor of this city within ten days from and after the passage of this ordinance, which shall be published once in The Morning Press, a daily newspaper of general circulation, printed, published and circulated in said city.

I hereby certify that the foregoing ordinance passed its first, second and final readings before the Council of the City of Santa Barbara, and was finally passed this 11th day of October, 1904, by the following vote on roll call:

Ayes: Councilmen N. D. Smith, C. E. Lataillade, E. G. Dodge, Peter Poole, F. F. Pierce.

Noes: Councilmen C. O. Garretson, J. W. Smith.

Absent: None.

It is hereby presented to the Acting Mayor of said city for his approval on this 15th day of October, 1904.

ALFRED DAVIS,

City Clerk of said City.

Received by me this 15th day of October, 1904.

N. D. SMITH,

President of Council and Acting Mayor of said City.

The foregoing ordinance is hereby approved this 15th day of October, 1904.

N. D. SMITH,

President of Council and Acting Mayor of said City.

ORDINANCE NO. 520.

To grant sewer franchise to Mary J. Bond along parts of Laguna and Carpenteria streets.

ORDINANCE NO. 521.

To grant right of way for wharf spur to Stearns Wharf Company and Southern Pacific Railroad Company.

CHAPTER XII

Ordinances from No. 361 to No. 545 Repealed
by Other Ordinances

ORDINANCE NO. 376.

To regulate plumbing.
Repealed by No. 408 ½.

ORDINANCE NO. 379.

To authorize clerk of water works department.
Repealed by No. 425.

ORDINANCE NO. 384.

To amend fire district ordinance (No. 355).
Repealed by No. 428.

ORDINANCE NO. 386.

To regulate license taxes.
Repealed by No. 525. Amended by Nos. 411 and 424.

ORDINANCE NO. 394.

To regulate saloon closing.
Repealed by No. 464.

ORDINANCE NO. 401.

To create a park commission.
Repealed by No. 439.

ORDINANCE NO. 406.

To fix license taxes.
Repealed by Nos. 411 and 525.

ORDINANCE NO. 411.

To fix licenses.
Repealed by Nos. 424 and 525.

ORDINANCE NO. 424.

To limit the number of retail liquor licenses.
Repealed by No. 463.

ORDINANCE NO. 425.

To authorize a bookkeeper for water works department
Repealed by No. 441.

CHAPTER XIII

Ordinances Expired by Limitation

ORDINANCE NO. 364.

To fix wharf rates for the year beginning July 1, 1901.

ORDINANCE NO. 365.

To fix water rates for the year beginning July 1, 1901.

ORDINANCE NO. 380.

To provide music on Plaza for fall of 1901.

ORDINANCE NO. 382.

To fix tax rate for fiscal year 1901-2.

ORDINANCE NO. 399.

To fix wharf rates for year beginning July 1, 1902.

ORDINANCE NO. 400.

To fix water rates for year beginning July 1, 1902.

ORDINANCE NO. 404.

To provide public music for year 1902.

ORDINANCE NO. 414.

To fix tax rate for fiscal year 1902-1903.

ORDINANCE NO. 429.

To fix wharf rates for the year beginning July 1, 1903.

ORDINANCE NO. 430.

To fix water rates for the year beginning July 1, 1903.

ORDINANCE NO. 437.

To furnish music at plaza for year 1903.

ORDINANCE NO. 447.

To fix tax rate for fiscal year 1903-1904.

ORDINANCE NO. 460.

To fix water rates for the year beginning July 1, 1904.

ORDINANCE NO. 461.

To fix wharf rates for the year beginning July 1, 1904.

ORDINANCE NO. 477.

To provide music on Plaza del Mar for the year 1904.

ORDINANCE NO. 493.

To fix tax rate for fiscal year 1904-1905.

ORDINANCE NO. 500.

To fix wharf rates for the year beginning July 1, 1905.

ORDINANCE NO. 501.

To fix water rates for year beginning July 1, 1905.

ORDINANCE NO. 522.

To fix tax rate for fiscal year 1905-1906.

CHAPTER XIV

Ordinances Relating to Bond Issues and Calling Elections

ORDINANCE NO. 363.

To regulate disbursements from the High School Building fund (bond issue).

ORDINANCE NO. 366.

To declare the necessity for a \$60,000 bond issue for water works purposes (preliminary ordinance).

ORDINANCE NO. 369.

To call an election for the issuance of \$60,000 in water works bonds. (Election carried).

ORDINANCE NO. 372.

To declare that the canvass for the issuance of \$60,000 water works shows that said issue carried.

ORDINANCE NO. 375.

To accept the bid of E. H. Rollins & Son for \$60,000 water works bonds.

ORDINANCE NO. 378.

To create waterworks extension fund. (\$60,000 issue).

ORDINANCE NO. 387.

To call general municipal election for December, 1901.

ORDINANCE NO. 432.

To call an election for \$284,000 bond issue. (Election carried).

ORDINANCE NO. 435.

To declare result of election for \$284,000 in municipal bonds.

ORDINANCE NO. 438.

To sell \$40,000 water works bonds; \$20,000 bridge bonds, and \$14,000 sewer bonds, to Adams-Phillips Company.

ORDINANCE NO. 442.

To create four funds for construction from bond moneys.

ORDINANCE NO. 443.

To declare regularity of sale and delivery of \$74,000 in bonds to Adams-Phillips Company.

ORDINANCE NO. 445.

To call election for annexation of outside territory.

ORDINANCE NO. 453.

To confirm sale of \$50,000 in water works extension bonds to Adams-Phillips Company.

ORDINANCE NO. 455.

To call general municipal election for December, 1903.

ORDINANCE NO. 470.

To call an election for \$15,000 bonds to buy Oak Park.

ORDINANCE NO. 478.

To declare that election for \$15,000 in Oak Park bonds carried.

ORDINANCE NO. 490.

To establish "Oak Park Bond Fund" for disbursements.

ORDINANCE NO. 528.

To call election for December, 1905.

NUMERICAL INDEX

Showing the pages upon which the titles of the respective ordinances are printed.

NOTE—"417" on page 111 should be "517"; "499" on page 121 should be "449."

NO. OF ORDIN.	PAGE	NO. OF ORDIN.	PAGE
361	23	389	99
362	23	390	99
363	197	391	131
364	193	392	100
365	193	393	100
366	197	394	192
367	23	395	112
368	184	396	132
369	197	397	100
370	171	398	100
371	116	399	193
372	197	400	194
373	131	401	192
374	173	402	100
375	198	403	100
376	191	404	194
377	118	405	23
378	198	406	192
379	191	407	174
380	193	408	149
381	184	409	24
382	193	410	100
383	120	411	192
384	191	412	101
385	107	413	101
386	191	414	194
387	198	415	158
388	131	416	129

NO. OF ORDIN.	PAGE	NO. OF ORDIN.	PAGE
417	101	458	185
418	101	459	185
419	101	460	195
420	109	461	195
420 $\frac{1}{2}$	132	462	175
421	132	463	64
422	61	464	71
423	184	465	102
424	192	466	102
425	192	467	102
426	160	468	102
427	62	469	109
428	145	470	199
429	194	471	139
430	194	472	109
431	101	473	103
432	198	474	103
433	101	475	103
434	107	476	103
435	198	477	195
436	163	478	199
437	194	479	111
438	198	480	103
439	164	481	103
440	132	482	103
441	133	483	104
442	198	484	104
443	199	485	139
444	184	486	104
445	199	487	104
446	102	488	104
447	194	489	111
448	167	490	199
449	121	491	177
450	167	492	32
451	167	493	195
452	26	494	185
453	199	495	122
454	27	496	104
455	199	497	139
456	134	498	179
457	139	499	76

NO. OF ORDIN.	PAGE	NO. OF ORDIN.	PAGE
500	195	523	37
501	195	524	37
502	104	525	80
503	105	526	91
504	105	527	47
505	113	528	199
506	105	529	106
507	105	530	106
508	105	531	106
509	105	532	106
510	105	533	124
511	78	534	126
512	180	535	107
513	106	536	111
514	111	537	107
515	106	538	49
516	106	539	54
517	111	540	56
518	182	541	94
519	111	542	96
520	190	543	141
521	190	544	147
522	195	545	143

TOPICAL INDEX

A

	PAGE
Animals on streets	120
Annexed territory added	27
Ashley avenue, closing part of	111

B

Barker's water system.....	139
Bella Vista street, closing part of.....	111
Bermuda grass	118
Billiard rooms	94
Boiler inspection	37
Bond funds, see Chapter XIV.	
Bond issues, see Chapter XIV.	
Boulevard, eastern	109
Boulevard, use of.....	122-124
Boulevard, no liquor sales near.....	62
Boulevard under Park Commission.....	163
Boundaries of city increased	27
Buildings in fire district	147
Building permits	24
Burial permits	160

C

Cacique street, closing part of.....	111
Canal street, closing part of.....	111
Change of grades, (see Chapter III, Subd. I.)	
Chapala street sidewalks	107
City electrician, power of.....	32
City limits increased	27
Cold Springs watershed, purchase of.....	132

	PAGE
Condemnation of water front	167
Connections with private sewers.....	113
Contagious diseases	158
Cottage Grove avenue.....	107

D

Depot block, closing alley in.....	111
Diseases, reports of contagious.....	158
Ditches in unpaved streets.....	112
Dumping ground, purchase of.....	23

E

East Boulevard	109
Elections, calls for, see Chapter XIV.	
Electric signs	56
Electrician, city, duties of.....	32
Election precincts	37
Elevator inspection	37
Engineers for waterworks department.....	132
Engineers, license of.....	37
Excavations in unpaved streets.....	112

F

Fire cisterns	143
Fire department	141
Fire district	145
Fire hose	143
Fire house site, purchase of.....	23
Fire hydrants	143
Franchises, see Chapter XI.	

G

Gibraltar reservoir site	139
Grades on streets, (see Chapter III, Subd. I.)	

H

Hackmen on ocean boulevard.....	124
Hackney carriages	126

	PAGE
Hack stands	126
Hauling on ocean boulevard.....	122
Hauling of sand	179
High school building site, purchase of.....	23
House moving	26-47
Hotel registers	176
Hotel solicitors, regulation of.....	174

I

Inspection of electrical wires, etc.....	32
Inspector of boilers and elevators.....	37

J

Job wagons	126
------------------	-----

L

Laguna street, widening.....	109-111
Laguna street, closing part of.....	111
Liquors, sale near library or school	173
Licenses, revocation of	61-63-68-78-90-93-95
Liquor sales near boulevard.....	62
Liquor licenses	64
Liquor regulations	61-62-71
Livery stables, erection of.....	177
Lottery tickets	171
Lodging house registers	176

LICENSE TAXES.

Auctioneer	85
Billiard and pool tables	87
Bill distributing	88
Bili poster	91
Book agents	87
Bull	90
Canvassers	97
Circuses	86-96
Clothing club	87
Dance halls	97
Electric company	88

	PAGE
Fortune telling	87
Gas company	88
Hackmen	85
Hawkers	88
Hotel, liquor	65
Hotel solicitors	86
Itinerant vendors	76
Jack	90
Junk dealer	90
Mediums	87
Merry-go-round	88
Pawn broker	89
Peanut and popcorn peddlers	90
Peddlers	87
Palmists	87
Ram	90
Restaurant, liquor	65
Saloon, liquor	65
Shooting gallery	90
Stallion	90
Sign advertiser	91
Skating rink	90
Soliciting orders	97
Sparring contests	87
Stereopticon advertising	87
Street cars	90
Street fakirs	76
Telegraph office	90
Telephone office	90
Theaters	86
Tombstone peddler	88
Weighing machine	90
Wrestling match	87

M

Mission tunnel site	134
Mono reservoir, condemnation of	132
Montecito street, widening of	109

O

Ocean Boulevard, use of	122-124
Oil tank permits	184

P

	PAGE
Park Commission	164
Park, dedication of water front.....	167
Permits for building	24
Permits for burial	160
Permits in fire district.....	147
Permits for electric signs.....	56
Performances in saloons	61
Physicians reports	158
Plumbing inspector	149
Plumbing rules	149
Policemen, salary of	129
Pool rooms	94
Precincts, election	37
Private sewers	113
Public library, liquor sale near.....	173
Public school, liquor sale near	173

R

Rates for water	49
Rates on wharf	54
Registering of guests	176
Reports of contagious diseases	158
Reservoir site in Mission canon	131-132
Restaurants, no performances in.....	61
Revocation of licenses	61-63-68-78-90-93-95
Rock-crushers, regulation of.....	182

S

Saloons, no performances in	61
Sandwich Island grass.....	118
Santa Barbara Water Co., agreement with	134
Sand, hauling of	179
Sewer franchise to M. J. Bond.....	191
Sewers, re-imbursement for.....	113
Shore Acres tract, streets in.....	111
Sidewalks, weeds on.....	116
Sidewalks, trees overhanging	116
Sidewalks, width of.....	107
Signs, electric	56

	PAGE
Smoke nuisance	180
Soot nuisance	180
Solicitors, regulation of hotel	174
Southern Pacific Co., see Chapter XI.	
Speed of street cars	121
Stables, livery, regulation of.....	177
Stock on ocean boulevard.....	122
Street railway ordered to repair street.....	23
Street railway franchises, see Chapter XI.	
Streets, standing animals on	120
Street cars	121
Street grades, (see Chapter III, Subd. I.)	

T

Telephone franchises, see Chapter XI.	
Tickets in lottery	171
Tolls on wharf	54
Trees overhanging sidewalks.....	116
Trenches, in unpaved streets.....	112

V

Vehicles standing on streets.....	120
-----------------------------------	-----

W

Water rates	49
Water front, condemnation of.....	167
Water front, dedication of.....	167
Waterworks, regulations for extension.....	131
Waterworks department engineers.....	132
Waterworks department bookkeeper.....	133-139
Waterworks department, superintendent.....	133
Weeds on sidewalks	116
Wharf rates	54
Wharf spur franchise	191
Wires, raising for house movers.....	26-47

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